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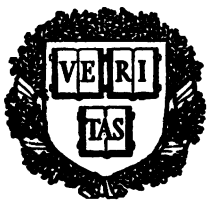

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MEMOIRS

OF

THE COURT

OF

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By LUCY AIKIN.

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MEMOIRS

OF THE

COURT OF KING JAMES I.

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IT is somewhat remarkable that James, who had visited the university of Oxford as early as the year 1605, had not yet paid a similar compliment to that of Cambridge, though his hunting progress to Royston brought him annually into its neighbourhood. At length however, in March 1615, he announced

his intention of repairing thither, accompanied by the prince and by a numerous court; and extraordinary preparations were made for his magnificent reception. The earl of Suffolk had been suffered to succeed his more learned kinsman Northampton in the dignity of chancellor of the university, and the house of Howard, which was also elated by its alliance with the favorite, stood foremost on this occasion of display. The chancellor himself was lodged in St. John's college, where he kept his table on so grand a scale of hospitality, that his consumption of wine during the five days of the royal visit was estimated at no less than twenty-five tuns. His lady, with her daughters the countesses of Salisbury and of Somerset, and other near connexions, were accommodated at Magdalen college, and were the only females who graced the festival; perhaps because other ladies might be reluctant to appear in the train of lady Somerset. The king and the prince occupied Trinity college, in the spacious hall of which plays were nightly represented. These exhibitions for the evenings, with sermons and disputations every morning, sufficiently exercised the patience of the monarch, who was less disposed to attend to the oratory of others than to display his own. After listening to a "*concio ad clerum*" which occupied an hour and a half, he complained aloud, "that care had not been taken to prevent *tediosity*;" and on another occasion he is reported to have exclaimed, after nine hours of exhibitions of scholarship, "What do they think I am made of?" One of the performances

ances however, though in the opinion of a person who was present "more than half marred with extreme length," proved so peculiarly grateful to the taste of his majesty that he expressed the highest delight, and on an after occasion a second representation was commanded. This piece was the Latin comedy of *Ignoramus*, which, contrary to the common fate of occasional pieces, has held an enduring place in literature, and, besides being several times reprinted, was twice within the last century selected for performance by the Westminster scholars. It is doubtless a very amusing drama, full of bustle and incident, and abounding with laughable situations and grotesque characters; but its comic merits were not its only or principal recommendation to the favor of James. The hero of the piece is a practitioner of the common law, so much decried by the courtiers of the day; and the ridicule attached to his cunning, his pedantry, and the barbarous jargon of technical terms and latinized English of which his discourse is compounded, was no less agreeable to the monarch than it proved offensive to the profession of which Ambidexter Ignoramus is the representative. Those other distinguished objects of his majesty's contempt or aversion,—the pope, the jesuits with their doctrine of equivocation, Garnet's straw, and the puritans, all came in for a share of the lashing dealt around by the courtly satirist, and on the repetition of the piece, a new prologue added to the gratification of the royal auditor.

ditor. The author was George Ruggle of Clare-hall; a person not otherwise distinguished.

Notwithstanding the boasted scholarship of James, the Latinity of the speech addressed by him to the university is said to have been very indifferent, and much inferior to that of queen Elizabeth's harangue on a similar occasion. That of Nethersole the university orator was also much criticised, on account of his addressing the prince as "Jacobissime Carole." This absurdity among others was ridiculed in a ludicrous ballad composed on the occasion by Richard Corbet of facetious memory, an Oxonian, and afterwards bishop of Norwich.

Somerset attended the king on his visit to Cambridge, and was still regarded as a favorite; but it was not difficult to prognosticate his fall. No one could look upon him without perceiving a total change. The graces of his youth had all faded before the withering sense of secret and atrocious guilt; he affected solitude; an air of neglect prevailed over his person, his dress and his manners; and the king, who ceased to discover in his features the charms which had first caught his eye and his fancy, and who found the gaiety which he loved to cherish among his immediate attendants checked by the moroseness and melancholy of his lord-chamberlain, sought only an excuse for transferring to a new object his capricious fondness. Nor was the choice of this object dubious: nearly two years before this time, the monarch had been struck by the personal beauty

beauty and graceful carriage of a youth named George Villiers, a younger son of a Leicestershire knight, who, having lately returned from France a proficient in the arts of fencing and dancing, had been equipped with handsome clothes and sent by his mother and his friends to push his fortune at court. Almost on his first appearance, the king had marked his predilection by conferring upon him the office of his cup-bearer at large; and soon after, by admitting him to serve in ordinary, had rendered him the attendant of his meals, and given him the opportunity of listening to his conversation and forming himself to his humor.

The insolence and rapacity of Somerset, who permitted no suit to pass without an enormous bribe, had rendered him universally odious; and many hands were eagerly stretched forth to thrust down the already tottering favorite, or to support in his ascent the new aspirant. But it seems that James, among other sage rules of conduct, had laid down for himself that of never taking for a professed favorite any one who was not formally recommended to him by his queen; and the great difficulty was to induce this princess to co-operate in an affair to which she evinced a marked repugnance. In this perplexity the Villiers faction cast their eyes upon Abbot, who possessed considerable influence with her majesty, and the primate has thought proper to inform posterity, that it was by his instrumentality that a knot so worthy the interposition of a christian prelate was solved. For some time the queen resisted

his

his most earnest solicitations, saying, "My lord, you and the rest of your friends know not what you do; I know your master better than you all, for if this young man be once brought in, the first persons that he will plague must be you that labor for him; yea, I shall have my part also; the king will teach him to despise and hardly entreat us all, that he may seem to be beholden to none but himself." In which words, Abbot confesses that she spoke like a prophetess. But importunity prevailed at length, and about April 1616, she was won to solicit the king to gratify his own weak and disgraceful partiality in the preferment of Villiers, whom the delighted monarch instantly knighted in the queen's apartment, and swore in a gentleman of the bed-chamber, in spite of the opposition of Somerset. The archbishop characteristically finished the scene by enjoining upon the new minion three things,—to pray to God daily for grace to serve the king faithfully;—to do all good offices between his majesty and the queen and prince;—and to fill his sovereign's ears with nothing but the truth. When he had succeeded in teaching the young man to repeat these precepts "indifferently well" by rote, and had received the king's acknowledgement that "it was counsel fit for a bishop to give to a young man," the sapient prelate seems in earnest to have believed that he had sufficiently guarded his catechumen against all the hazards to which his virtue might be exposed by so sudden and so unmerited an elevation; and he experienced as much surprise as vexation on finding

finding himself and his counsels speedily consigned to neglect by one who, as he apprehended, owed him so much, and who, in the first moments of success, had promised to revere him as a father[a].

Every step of Villiers's progress in the royal favor rendered more imminent the apprehensions of Somerset. Destitute alike of personal merit and of hereditary consequence, surrounded by opponents whom he had no means of conciliating, and deprived by the death of Northampton of the only adviser on whose guidance he could repose, he felt that the favor of the king was the sole remaining barrier between himself and the disgrace and ruin which he had so amply deserved; and before this reliance also should fail him, he aimed at rendering it the instrument of his permanent security. With this view, he represented to his royal master, that in the high offices which he had borne under the crown, and in the secret and important affairs with which it had long been his majesty's pleasure to intrust him, it was not improbable that he might through inadvertence have fallen into errors which in strictness of law would expose him to the penalties of a *præmunire:* for his protection against this danger, he therefore humbly besought his majesty to be pleased to grant him a pardon under the great seal for all past offences. James, with his customary facility, assented; and Somerset, on applying for precedents to that learned antiquary sir Robert Cotton,

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[a] See *Biographia Brit.*, art. Abbot.

who

who was acquainted with his political secrets, was furnished with a form by which the king was made to pardon "all manner of treasons, misprisions of treasons, murders, felonies, and outrages whatsoever," by him "committed or to be committed." This ample indulgence was signed by the monarch without the smallest scruple; but being afterwards carried to the chancellor, this officer peremptorily refused to affix the seal to it, alleging that to do so would subject himself to a *præmunire*. This obstacle was found insuperable; and, deprived of his meditated defence, Somerset had nothing left but to await in secret dread the result of the thousand accidents which might betray to some one who desired his destruction, either his intrigues with Spain, or the black story of Overbury's fate; known already to certainly not fewer than eight or ten persons more or less implicated in the barbarous deed.

Meantime, James went on his summer progress into the west, during which we are told that he was entertained at Cranbourn by William earl of Salisbury, son-in-law to the earl of Suffolk; "at Lulworth and Bindon by the lord Walden; at Charlton by sir Thomas Howard; and nothing but one faction braving the other. Then was the king feasted at Purbeck by the lord Hatton, who was of the contrary faction; and at a jointure-house of sir George Villiers' mother, called Gotly, where he was magnificently entertained[a]."

[a] Weldon's *Court of king James*, p. 96.

This

This open rivalry disturbed the king; and being anxious to compose it, he is said to have directed his new favorite to wait upon the old one with a courtly offer of becoming "his creature," which overture he caused it to be intimated to Somerset that it was his pleasure he should receive with graciousness. But the pride of the earl disdained the compromise; and he is reported to have repelled the advances of Villiers with this "quick and short answer; 'I will none of your service, and you shall none of my favor. I will, if I can, break your neck, and of that be confident.'"

It was not till after this ill-timed declaration of hostilities, that any inquiry was instituted into the secrets of the prison-house; and it is, to say the least, no improbable conjecture of a contemporary writer, that "had Somerset complied with Villiers, Overbury's death had still been raked up in his own ashes[a]."

We do not certainly learn by whom the first impulse was given which moved the king to make this affair the subject of judicial investigation; but there is some reason to believe that it was secretary Winwood: be this as it may, one of the first steps which can now be traced was, his majesty's sending for sir Gervase Elways, lieutenant of the Tower, and questioning him so closely and so ably,—for James prided himself with some reason on his skill in examinations,—that the terrified man was brought to

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[a] Weldon's *Court of king James*, pp. 97, 98.

a con-

a confession of the following circumstances:—That very soon after Overbury had been committed to his custody, he met Weston, whom he had set over him as his keeper, carrying him his supper, with a small phial also in his hand. Weston asked, "Shall I give it him now, sir?" of which words he having required an explanation, Weston at length owned to him that the phial came from the countess of Essex, and contained poison: for this, as he averred, he rebuked him severely, and made him promise to forbear this attack on the life of his prisoner. He had not however deemed it necessary to remove Weston from his office of keeper, and this person had since confessed to him, that a remedy which a certain apothecary had administered to Overbury with his privity and assistance, and for which the apothecary had a reward of 20*l.* from the countess of Essex, was the cause of his death.

On this information the king directed the chief-justice to apprehend and examine Weston. This wretch was with some difficulty brought to confirm the whole story of the lieutenant, only protesting that he did not in reality administer the liquor in the phial to Overbury. He owned however that he had repeatedly carried to him tarts and jellies sent by the countess, which he believed to be poisoned, and was enjoined not to taste. It also came out, that he had received a sum of money from this lady, through her agent Mrs. Turner, as a reward on the death of Overbury. Another part of Weston's statement, corroborated by a second witness, was, that Somer-

set

set sent a letter to Overbury in the Tower, inclosing a white powder, which he requested him to take, and not to fear though it should make him sick, for out of his sickness he would draw an argument for his liberation.

Several other accomplices were now traced out and strictly examined, and James, who appears to have personally directed every part of the proceedings, found it necessary, on their united testimony, to instruct the chief-justice to issue his warrant for the commitment of the earl and countess of Somerset to private custody, which was executed on October 15, 1615. The remarkable circumstances of the king's final parting with his once-loved Carr, are thus recorded by Weldon:

" The king with this took his farewell for a time of London, and was accompanied with Somerset to Royston; where no sooner he brought him, but instantly took his leave, little imagining what viper lay among the herbs. Nor must I forget to let you know how perfect the king was in the art of dissimulation, or, to give it in his own phrase, king-craft. The earl of Somerset never parted from him with more seeming affection than at this time, when he knew Somerset should never see him more; and had you seen that seeming affection, as the author himself did, you would rather have believed he was in his rising than setting. The earl, when he kissed his hand, the king hung about his neck, slabbering his cheeks, saying, ' For God's sake when shall I see thee again? On my soul I shall neither eat nor sleep

sleep until you come again.' The earl told him, 'on Monday,' this being on the Friday. 'For God's sake let me,' said the king.—'Shall I, shall I?' then lolled about his neck. 'Then for God's sake give thy lady this kiss for me.' In the same manner at the stairs' head, at the middle of the stairs, and at the stairs' foot. The earl was not in his coach when the king used these very words, in the hearing of four servants, one of whom was Somerset's great creature, and of the bed-chamber, who reported it instantly to the author of this history; "I shall never see his face more[a]."

Roger Coke in his "Detection" has related this part of the story with some variation. According to him, the warrant of the chief-justice was served upon Somerset at Royston, who exclaiming, that "Never such an affront was offered to a peer of England in presence of the king,"—"Nay, man," said the king, "if Coke sends for me, I must go." And when he was gone, "Now the de'el go with thee," said the king, "for I will never see thy face more." But it is unlike James to have inculcated on any occasion such an idea of the power of a chief-justice; and there also appears to be sufficient evidence that the arrest of Somerset took place in London. The chief-justice however, fearful of taking upon himself the sole responsibility of an affair in which so great a personage was implicated, posted the same day to Royston to petition the king that other com-

[a] Weldon's *Court of king James*, p. 104

missioners

missioners might be joined with him in taking the necessary examinations: this was granted, and, according to our author, the king on the same occasion expressed great indignation against Somerset and his wife, for having, as he said, made him an agent in their adultery and murder; "and he imprecated a solemn curse upon Coke and his posterity, if he spared any, and upon himself and his if he pardoned any of them[a]."

Weston was now arraigned; but by the direction of serjeant Yelverton, who was "an obliged servant to the house of Howard," he stood mute; to the great perplexity of Coke, who well knew that unless the principal in the murder were convicted, the accessaries could not be put on their trials. He proceeded nevertheless to cause all the examinations and confessions which had been taken to be publicly read, a step apparently of doubtful legality; after this he adjourned the court for a few days, to give the prisoner leisure to meditate on the horrors of the *peine forte et dure*, which he had set before him. On his re-appearance he was found more tractable, and pleading Not guilty, the trial proceeded. It was now proved, in addition to what has been already stated, that Weston had lived as a servant with Mrs. Turner; that whilst in this situation he had been employed as a trusty messenger and letter-carrier between the countess of Essex and her paramour lord Rochester; and that it was at this lady's request,

[a] Coke's *Detection*, p. 78.

expressed

expressed through sir Thomas Monson, that Elways had received him into his service and set him over the prisoner.

Another very striking piece of evidence was that of sir David Wood, to the following effect:—That he had obtained the king's consent to a suit in which he was a petitioner, and which would have been worth 2200*l.* to him; but that he was crossed in it by lord Rochester, who refused to let it pass unless he would give him 1200*l.*, and by sir Thomas Overbury, who had given him words for which he intended to bastinado him. That, upon this, the countess of Essex had sent for him, and told him that she understood he had received much wrong from Overbury, and that he was a gentleman who could revenge himself; adding, that sir Thomas had also injured her. He replied, that Overbury had refused him the field: she then endeavoured to persuade him to assassinate him, promising him 1000*l.* for his reward, and protection from his enemies. This offer he refused, saying that he should be loth to hazard Tyburn on a woman's word; yet she continued to urge it, saying that he might easily kill his enemy as he returned late from sir Charles Wilmot's in his coach. After a strong charge from the chief-justice, in which he could not resist the temptation of remarking that poisoning was "a popish trick," Weston was found guilty and underwent the just sentence of the law.

The next trial, that of the infamous Mrs. Turner, was calculated to awaken a more thrilling interest than

than any of the rest, since an examination into her magical experiments was mingled with the only charge regularly before the court,—her guilt as an accessory in the murder. Sir Laurence Hyde, the queen's attorney, after declaiming a while on the wickedness and heinousness of poisoning, "showed further, that there was one Dr. Forman dwelling in Lambeth, who died very suddenly, and a little before his death he desired that he might be buried very deep in the ground, 'or else,' saith he, 'I shall fear you all.' To him in his life-time often resorted the countess of Essex and Mrs. Turner, calling him father; their cause of coming to him was, that by force of magic he should procure the now earl of Somerset, then viscount Rochester, to love her, and sir Arthur Manwaring to love Mrs. Turner;" and two of the countess's infamous letters on this subject, to Mrs. Turner and to Forman, were read in court. Some of their magical apparatus, as images, pictures and "enchanted papers," were likewise produced. At this moment "there was heard a crack from the scaffolds, which caused great fear, tumult and confusion among the spectators and throughout the hall, every one fearing hurt, as if the devil had been present, and grown angry to have his workmanship showed by such as were not his scholars." When the panic had a little subsided, more of "the cunning tricks" were exposed. "There was also a note showed in court, made by Dr. Forman and written in parchment, signifying what ladies loved what lords in the court; but the lord-chief-justice would

would not suffer it to be read in open court." The good-natured world believed that he found the name of his own wife in the first page.

The active agency of Mrs. Turner in the poisoning was in the end abundantly proved to the jury, and Coke pronounced sentence upon her with evident satisfaction; not forgetting to tell her that she was guilty of the seven deadly sins, of which he reckoned witchcraft as one and popery as another.

Many women of fashion, as well as men, went in their coaches to Tyburn to witness the death of this woman, who edified the spectators, it is said, with a very penitent end; though she could not deny her vanity the slight gratification of making this her last appearance in a ruff stiffened with yellow starch, —a favorite fashion imported by herself from France, but to which this exhibition of it proved immediately fatal.

On the trial of sir Gervase Elways, which was the next proceeded in, the guilty and disgusting letters of the earl of Northampton were read, and several fresh indications of the participation of Somerset in the murder of his friend were produced. The name of sir Thomas Monson, the chief falconer, was also brought in question, as an assistant in the unwarrantable measure of keeping the unfortunate Overbury in close custody, and as a probable depository of the whole atrocious plot. Elways defended himself stoutly; but the evidence of some of his own letters appeared conclusive, and a verdict of Guilty was promptly returned. The voluntary confession

fession of one Franklin an apothecary, read on the trial of Elways, contains a curious list of the most approved poisons of that day, which Franklin had procured for the countess by order of Mrs. Turner. These were, aqua fortis, white arsenic, corrosive sublimate, powder of diamonds, lunar caustic, great spiders and cantharides. Franklin himself was next put to the bar, and, notwithstanding his confession and his penitence, shared the fate of his predecessors.

Sir Thomas Monson was now arraigned, and strenuously exhorted by the crown lawyers to acknowledge his offence, one of them declaring that he was "as guilty as the guiltiest;" but he steadily persisted in the assertion of his innocence, and in the midst of the proceedings he was suddenly carried off from the bar by several yeomen of the Tower, and after a short interval liberated from that place of confinement without further process of any kind. Not the least mysterious of the many strange circumstances attendant on this memorable case[a]!"

After the unsparing chastisement of so many accomplices in this deed of darkness, the public must naturally have anticipated a similar infliction on the still more guilty principals; and the emphatic eulogiums of the chief-justice, and of Bacon as attorney-general, on the righteous zeal of the king for the

[a] The preceding account of the trials of these delinquents has been derived from the minute and apparently authentic narrative affixed to a tract entitled "Truth brought to light by time," first printed in 1651.

impartial execution of justice, even upon those who had been nearest and dearest to him, were calculated to confirm the expectation. But long delays were interposed which served to weary out the indignation originally excited by the fact, and gradually to prepare the minds of men for the unjustifiable act of lenity which was contemplated.

Amid the various and contradictory accounts of this affair handed down to us by the memoir-writers of the age,—often ill-informed and always prejudiced,—our best clue to the truth is supplied by the official letters of sir Francis Bacon to the king and to Villiers. From these documents, it appears that the interval between the conviction of the other delinquents and the trials of the earl and countess of Somerset, which did not take place till May 1616, was occupied in frequent examinations of the prisoners, and strenuous endeavours to bring them to confession. With the lady, these efforts were at length successful; after many denials, she appeared touched with a late remorse, and owned her guilt. But the mind of her husband was of a tougher texture, and from him not the slightest concession could be obtained, either by threats or promises. Meantime lord Digby returned from his Spanish embassy, and conveyed to the king an intimation of certain clandestine negotiations which had been carried on between his late favorite and the court of Spain; and Somerset was in consequence subjected to fresh interrogations relative to this matter, which appear to have disturbed him more than those which had

his

his concern in the fate of Overbury for their object. Sir Robert Cotton, who had been in some manner privy to these intrigues, was also examined, as was likewise sir William Monson, the vice-admiral, who had been deeply involved in them, and of whom it was popularly reported that he was under an agreement to carry over the English fleet to the Spaniards. No treasonable charge however could be substantiated against Somerset, and it was therefore determined to proceed against him on the former accusation. But even this was treated like a matter of state, in which it was inexpedient to permit law and justice to take their free and natural course.

Bacon, to whom the conduct of the prosecution was committed, went into the house of lords armed with particular directions in the king's own hand applicable to all contingencies;—the prisoner's pleading Guilty, pleading Not guilty, or standing mute,—his being convicted or acquitted by the peers. James earnestly desired that he might make a full and free confession, in which case he would apparently have been spared the disgrace of a trial; but in any event the monarch was resolved to save his life, and even to grant him further favors; on which account Bacon judiciously advised that all reviling should be forborne, and that he should be made "guilty to the peers but not odious to the people[a]."

It is certainly in no degree surprising, that a

[a] *Letters and memoirs of sir F. Bacon*, letters LXVI. LXVIII.

prince who was on all occasions governed much more by his prejudices or his personal attachments than by a correct sense of justice, should feel an insurmountable repugnance to the idea of suffering the blood of a man for whom he had entertained so extravagant a fondness to flow on the scaffold; and these precautions would therefore have in them nothing suspicious, did not several circumstances indicate that fear rather than love was the sentiment which operated on the mind of the monarch for the preservation of his guilty minion. Of this nature was the sudden conveyance of sir Thomas Monson from the bar, said by Weldon to have been occasioned by a menace conveyed to the king the night before by his card-holder, in the dark phrase that sir Thomas would there "play his master's prize." The assurance of mercy which Bacon was directed to hold out to Somerset previously to his being put upon his trial, and the bold and haughty tone which this criminal maintained towards the king both before and after his conviction, convey a similar impression; which is further strengthened by some extraordinary letters of James's own writing to sir Thomas More, lieutenant of the Tower, urging him, if possible, to bring the prisoner to a more submissive frame of mind, before he was trusted to appear publicly at the bar of the house of lords. The excessive agitation of the king during the trial, remarked by Weldon, is also a strong circumstance: in fact, it cannot be doubted that Somerset was in possession of some important secret of the king's, which he threatened

to

to betray; that he hoped by this menace to escape a trial, but was at length, by skilful management, prevailed upon to be satisfied with the promise of a pardon; all, indeed, that the king could with any appearance of decency grant. What this secret might be, it is in vain to inquire; that it was a "mystery of iniquity" there can be little doubt, but its nature was never known. That it related to the poisoning of prince Henry has been much believed, but may surely be pronounced untrue.

The threats used by Overbury towards Somerset, and the extreme precaution employed to prevent his communicating with any one during his imprisonment, prove that he also was in possession of a secret, and perhaps of the same; but one confidant had to deal with a bold and atrocious nature, the other with a timorous and gentle one; Overbury was poisoned; his master, pardoned and pensioned.

The countess, being brought to the bar, pleaded Guilty, and received sentence accordingly; but her husband defended himself strenuously from eight in the morning till seven at night; without effect, however; for the unanimous verdict of the peers declared him Guilty. Both criminals were remanded to the Tower, where the countess soon after received the king's pardon: the earl was reprieved from time to time, but the sentence remained suspended over his head till the last year of James's life, when he obtained its reversal. In the year 1621 the earl and countess were liberated from the Tower, and sent to live in banishment at a country seat, the king allowing

allowing no less a sum than 4000*l.* a year out of Somerset's forfeited estate for their maintenance. They languished out their miserable lives hated by one another and contemned by all mankind. Camden has recorded, that "the king ordered that the arms of the earl of Somerset, notwithstanding his being condemned of felony, should not be removed out of the chapel at Windsor: that felony should not be reckoned amongst the disgraces for those who were to be excluded from the order of St. George; which was without precedent[a]." A remarkable instance of the obtuseness of James's moral sense, and, it may be added, of the passiveness of the members of that most noble order, who seem to have endured without complaint this insult upon the honor of their knighthood!

On the whole, few circumstances display more strongly the maxims and practices of the reign of James I., than those connected with the affair of Overbury. The perseverance with which the design against his life was followed up, in defiance of so many discouragements and failures; the audacity, almost the publicity, with which it was conducted; and the number of instruments in various ranks and classes of society whose co-operation was fearlessly required; furnish a revolting picture of the guilty boldness of the great and powerful, and of the base and slavish subserviency of their inferiors. That a royal favorite was himself placed beyond all responsibility, and that the consequences

[a] Camden's *Annals of James I.*

of

of his displeasure were more to be dreaded than those of the commission of any crime, must have been maxims deeply fixed in the minds of men, before so daring an enormity could have been perpetrated, or even attempted. It was of vital importance to the country that English law and justice should at length assert their rights; and this was deeply felt by Coke, who called the prosecution of this offence "the grand *oyer* of poisoning;" it was also felt by Bacon, who in one of his letters calls this single murder "a crime second to none but the powder-plot," regard being had to the atrocity of the mode and the perniciousness of the example.

The death of Shakespeare, in April 1616, is an event which the present age would justly deem it unpardonable to omit amongst the memorable incidents of the year, although it was suffered by his contemporaries to pass over with a silence and indifference which may well appear unaccountable. There cannot exist a doubt that Shakespeare was by far the most popular dramatic writer of his own day: in representation, his pieces filled the theatre to overflowing; such of them as were surreptitiously printed during his lifetime were read with avidity; and his style was unquestionably the model upon which the most successful of his compeers, with the single exception of Jonson, studiously labored to form themselves.

Nor was it only by the middling or lower classes of society, who chiefly composed the theatrical audiences of those days, that his immortal works were admired

admired and applauded. The earl of Southampton was his patron from the commencement of his dramatic career; the earls of Pembroke and Montgomery are recorded, in the dedication of the posthumous edition of his plays by Hemminge and Condell, as distinguished favorers of the author and his works; and the gracious encouragement extended to him by queen Elizabeth, and afterwards by her successor, is well known. From the circumstance of his being enrolled a member of the celebrated Mermaid club, founded by Raleigh and frequented by the most eminent literary characters of the age, we may infer that his habits were not sordid, nor his life obscure; and that the frankness and gaiety of his temper rendered him the delight of every society in which he mingled, is testified by all who have spoken of him from personal knowledge or recent tradition. "I loved the man," says Jonson, "and do honor his memory, on this side idolatry, as much as any. He was indeed honest, and of an open and free nature[a]." Neither was it the melancholy destiny of the poet to survive either his own powers or the associates of his youthful days; it was in the 53rd year of his age, and in the second only of his retreat from the busy scenes of the metropolis to the enjoyment of an honorable privacy in his native Stratford, that we find him stealing out of the world absolutely unnoticed by any annalist or memoir-writer of the time, and almost "without the meed of some melodious tear."

[a] *Discoveries.*

A striking

A striking peculiarity in the character, or at least in the practice, of the poet himself, seems to offer the most probable solution of these circumstances. In that age of eulogy, no one dealt so little in the "splendid traffic" of praise for praise, or in the sordid one of praise for pay, as Shakespeare. With the exception of a brief expression of his admiration of Spenser, contained in one of his early sonnets, and a few lines, written in conjunction with that general panegyrist Jonson, on the poems of one Chester, not a single line in honor of any contemporary writer is found in all his acknowledged works; nor has he ever been detected as an anonymous contributor to the vast collections of commendatory verses which the poets of that age were proud of prefixing to their volumes[a]. No one therefore stood pledged to eulogise him, by the claims of an equitable reciprocity; and it seems to have been not until the striking inferiority of his successors and imitators had deeply impressed upon the public mind the sense of his incomparable excellencies, that his praises became the favorite theme of the poets. A more becoming excuse for their silence was indeed suggested by one of his admirers:

> "It is not fit each humble muse should make
> Thy worth his subject.....
> Let learned Jonson sing a dirge for thee,
> And fill our orb with mournful harmony."

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[a] This remark is borrowed from Mr. Gifford's *Memoirs of Jonson*, where however the lines on Spenser are not noticed. See Gifford's *Jonson*, vol. i. p. CXCVII.

Jonson,

Jonson, in fact, the only dramatist who could be regarded as in any manner the rival of Shakespeare, appears to have had the honor of being his earliest as well as his warmest and his most judicious eulogist. His well-known lines "to the memory of his beloved Shakespeare and what he hath left us," worthy at once of the author and of the object, will stand an enduring monument to the fame of both, and to the disgrace of those calumniators of Jonson who have delighted to reproach him with a malignant and envious hostility against his great contemporary.

It would be at once superfluous and presumptuous to enter in this place on such a theme as the perfections of our illustrious poet; but a few remarks on such passages of his works as tend to illustrate his individual character, and the sentiments entertained by him on the principal topics of contemporary interest, may be regarded as not inappropriate.

That the silence of Shakespeare respecting the merits of other writers proceeded neither from envy nor from a cynical austerity, may safely be inferred from the amenity, the air of benevolence mingled with gaiety, which pervades his pieces and forms one of their most delightful characteristics. At the same time, the traits of ridicule which he often lances against the absurdities of the elder dramatists, and the parodies with which he amuses himself, evince a quick sense of the ludicrous, and a taste which disdained the efforts of laborious mediocrity and pedantic affectation; and he must undoubtedly be classed

classed as a satirist, though the most playful and good-humored of the tribe. His general freedom from the vice of adulation, is equally striking and honorable. Even in the dedication of his early poems to lord Southampton, he dared to rise above the servility of the times. The few passages of compliment to queen Elizabeth interspersed in his plays are modest, tasteful, and probably the sincere dictate of his feelings. The eulogy of her successor, which appears as if compulsorily inserted in Cranmer's prophetic speech, has at least the merit, or the excuse, of insisting very little on the personal qualities of the monarch. But there was a native generosity of soul in Shakespeare which would not permit him to content himself with negative merits. There can be little doubt that in the direction which sir Toby, in the play of Twelfth Night, gives to sir Andrew Aguecheek for his challenge; "Taunt him with the license of ink; if thou *thou'st* him some thrice, it shall not be amiss;" he designed to express his esteem for the injured Raleigh, and to stigmatise the arrogance of Coke, who had insulted him on his trial with this identical expression of contempt. The desire of the same idiotical sir Andrew to beat Malvolio for "no exquisite reason," but because he is told that he is a puritan, and the horror with which he speaks of a Brownist, are keen strokes of satire on the intolerance of the time, which, under all the circumstances, deserve high praise. The puritans were at once objects of detestation to king James, the patron of the poet, and implacable enemies to the

the stage and all connected with it; and the treatment which they were in the habit of receiving from the dramatic writers in return, may best be learned from Jonson's "Bartholomew Fair" and various contemporary pieces.

On the other hand, Shakespeare has so sedulously abstained throughout his works from that ridicule of the catholic mysteries, and those satirical representations of the manners of their clergy, the favorite common places of the protestant poets, that he has been strongly suspected of inheriting his father's attachment to the ancient communion. But the energetic protest against papal domination in the play of King John, seems incompatible with this opinion, and the forbearance must be attributed not to his faith but his candor. The invective of Shakespeare was chiefly pointed against pride, cruelty, treachery and oppression; and his ridicule lashed the foreign and fantastical affectations in speech and behaviour, the sententious pedantry, the tiresome ceremonial, and the rage for complimenting, which infected the manners of that *transition-age* between gothic barbarism and the refinements of modern Europe.

In the number, the variety, the exquisite beauty of his portraitures of female character, no writer of his own time and language,—or perhaps of any other,—can sustain a comparison with Shakespeare, excepting Spenser, the object of his early admiration, from whom it seems no improbable conjecture that his first vivid impressions of the "good and fair"

fair" might be in great measure derived. It has been remarked, that in all the plays of Ben Jonson only three respectable female characters are found, and of these, Celia, in the Fox, is the only one to which the slightest degree of interest is attached. Beaumont and Fletcher and Massinger are more bountiful to the sex of virtues and of graces; they have sometimes even attempted to pourtray a heroine: but female delicacy was a quality of which these writers could never attain to the most remote conception; and those who have endured the disgust of studying their characters of women, can alone appreciate the obligations of the sex and of society to him whose soul was capable of conceiving, and his hand of delineating, such models of purity and loveliness as Imogen and Cordelia and Desdemona;—such an enchantress as Rosalind. In conclusion, the trespasses against decorum, and in some respects against morals, which defile and degrade too many scenes of our great dramatist, must not, cannot, be disguised or palliated; but there never was a writer of whom it might with more truth be said, that his vices were those of his age, his preponderating virtues and inimitable excellencies peculiar and his own.

CHAPTER

CHAPTER XV.

1616.

Disgrace of Coke.—Various causes of it assigned.—Enmity of Coke and Bacon.—Bacon's letter of expostulation to Coke.—His letters to the king reflecting on Coke.—Case of Peacham,—of Oliver St. John.—Dispute between the king's-bench and chancery.—Affair of commendams.—The judges summoned before the privy-council.—Coke's spirited conduct, and dismissal.—Charles created prince of Wales.—Plan for his marriage to a French princess.—Lord Hay's embassy,—his pomp and prodigality.—James congratulates Louis XIII. on the murder of marshal d'Ancre.—Cautionary towns given up to the Dutch.

THE disgrace of lord-chief-justice Coke, almost immediately after the termination of his labors in the prosecution of Overbury's murderers, was an event which excited general attention, and the causes of which have been stated with considerable diversity by contemporary writers. Some have affirmed, that in his examinations of the papers of the earl of Somerset, he made certain discoveries deeply affecting the character of the king himself. It has been added, that on the trials he threw out hints concerning the supposed manner of prince Henry's death which James could never forgive. Others have ascribed his loss of the royal favor to his vigorous defence of the common law against what he regarded as the encroachments of the court of chancery;

cery; to the resistance which he opposed to the claims of prerogative in the affair of *commendams;* and, generally, to his inflexible attachment to the constitution of his country. His backwardness on one occasion in complying with the rapacious demands of sir George Villiers, the rising favorite, is the sole cause of his fall assigned by sir Roger Coke, his grandson, in his Detection. It appears deducible from the whole evidence which has come down to us, and especially from the letters of sir Francis Bacon, that James was in fact dissatisfied with his chief-justice on various political grounds, and Villiers on private ones; but the diligence exerted by Bacon himself in fostering these disgusts, seems to have had a great share, perhaps indeed the greatest of all, in deciding his expulsion from office.

The hostility between these two memorable men was of long standing, and founded on opposition of characters no less than competition of interests. Coke was confessedly the most profound lawyer of his time; but Bacon was at once the finest scholar and the most eloquent speaker that England had produced; and his rival, condemned to be a constant witness of the effects produced by his oratory, must have envied in secret the genius of him whom he in public affected to hold cheap for his deficiency in professional learning.

A seniority of about twelve years, with much experience in the courts, added to powerful interest with the ministers, had enabled Coke, from the commencement of Bacon's career at the bar, not only

only to assume towards him an irritating and insulting air of superiority, but to impede considerably his advancement to office. It must have been shortly before the promotion of Coke, in 1606, from the post of attorney-general to that of chief-justice of the common pleas, that his illustrious rival found cause to address to him the following remarkable letter of expostulation, which well explains the relative situation of the parties:

"Mr. Attorney,—I thought it best, once for all, to let you know in plainness what I find of you, and what you shall find of me, to take to yourself a liberty to disgrace and disable my law, my experience, my discretion: what it pleaseth you I pray think of me; I am one that knows both my own wants and other men's, and it may be perchance that mine mend, others stand at a stay. And surely I may not endure in public place to be wronged, without repelling the same to my best advantage to right myself. You are great, and therefore have the more enviers, which would be glad to have you paid at another's cost. Since the time I missed the solicitor's place (the rather I think by your means), I cannot expect that you and I shall ever serve as attorney and solicitor together; but either to serve with another upon your remove, or to step into some other course: so as I am more free than ever I was from any occasion of unworthy conforming myself to you, more than general good manners, or your particular good usage, shall provoke; and if you had not been short-sighted in your own fortune, as I think, you might have

have had more use of me. But that side is passed. I write not this to show my friends what a brave letter I have written to Mr. Attorney; I have none of those humors, but that I have written is to a good end; that is, to the more decent carriage of my master's service, and to our particular better understanding of one another. This letter, if it shall be answered by you in deed and not in word, I suppose it will not be worse for us both; else it is but a few lines lost; which for a much smaller matter I would have adventured. So this being to yourself, I for my part rest," &c.

Considering the natural timidity of Bacon's temper, it may be taken for granted that he must have felt himself strong in royal favor when he ventured to write such a letter as this to sir Edward Coke, supposing that it was actually sent when written. The next year he obtained the solicitor's place, long the object of his ambition; and seven years afterwards, by a well-combined intrigue, he elevated himself to the post of attorney-general. It was by means of an immediate advantage to his rival,—his promotion to the chief-justiceship of the king's bench from that of the common pleas,—that Bacon gained this step of his advancement; but its remoter consequences were fatal to the power of Coke. The age and infirmities of lord Ellesmere rendered a speedy vacancy inevitable in the office of lord-chancellor;—Bacon, now attorney-general, admitted to the privy-council and possessed of the ear of the king, openly aspired to this high dignity; but he

saw, or thought he saw, in Coke a formidable competitor; and from the moment that this cause of present jealousy was added to his sense of past injuries, he seems to have omitted no occasion of calling the attention of the king to the rigidly constitutional conduct of Coke, in contrast with that entire devotedness to the cause of prerogative on which he himself relied as the chief means of his promotion. † It may be worth while to quote some passages of his letters to this effect, which will serve the further purpose of illustrating the character of James, and of refuting the commonly received opinion that his theoretical despotism was not carried into practice.

Early in the year 1615, the study of one Peacham being searched, there was found a manuscript sermon, never preached, containing passages looked upon as treasonable. The king was resolved, if possible, to bring the author to punishment; but as there was good reason to doubt whether the mere writing of such a paper could be construed into treason, he ordered that the opinions of the judges on the case should be taken privately and separately, before the prisoner was brought to trial. Bacon and some other crown lawyers were employed on this business, and he thus relates his success in a letter to the king:—"We did first find an encounter in the opinion of my lord Coke; who seemed to affirm that such particular, and, as he called it, auricular taking of opinions, was not according to the custom of this realm; and seemed to divine that his brethren

brethren would never do it. But when I replied, that it was our duty to pursue your majesty's directions; and it were not amiss for his lordship to leave his brethren to their own answers, it was so concluded: and his lordship did desire that I might confer with himself, and Mr. serjeant Montague was named to speak with justice Crook; Mr. serjeant Crew with justice Houghton, and Mr. solicitor with justice Dodderidge. This done, I took my fellows aside, and advised that they should presently speak with the three judges, before they could speak with my lord Coke, for doubt of infusion: and that they should not in any case make any doubt to the judges, as if they mistrusted they would not deliver any opinion apart, but speak resolutely to them, and only make their coming to be, to know what time they would appoint to be attended with the papers." "This," as he goes on to relate, "sorted not amiss" with the puisne judges, though Houghton hesitated; but Coke remained intractable. In two or three conferences on the subject he repeated his former objections to the legality of the step; and on Bacon's urging the compliance of his brethren, "he said (which I noted well) that his brethren were wise men, and that they might make a show as if they would give an opinion, as was required; but the end would be that it would come to this: they would say they doubted of it, and so pray advice with the rest. But to this I answered, that I was sorry to hear him say so much, lest, if it came to pass, some that loved him not might make a con-

 struction,

struction, that, that which he had foretold, he had wrought."

In the end, after maturely deliberating, and weighing all the precedents brought him, the lord-chief-justice returned indeed an answer to the points on which he was consulted; but one in no respect likely to satisfy the king, in which consideration his rival evidently triumphs.

In the matter of Mr. Oliver St. John of Wiltshire, who had addressed to the mayor of Marlborough a statement of his reasons for refusing to contribute to a benevolence imposed by the king's sole authority, and who for this cause was censured and heavily fined in the star-chamber, Coke proved but too obsequious to prerogative; yet his conduct is thus adverted to by Bacon in writing to James: "Mr. St. John his day is past, and well past. I hold it to be Janus Bifrons. It hath a good aspect to that which is past, and to the future, and doth both satisfy and prepare. All did well. My lord-chief-justice delivered the law for the benevolence strongly; I would he had done it timely."

The next important business which occurred was a contest between the king's-bench and the court of chancery respecting jurisdiction, the grounds of which are explained very distinctly in one of Bacon's letters to his majesty. Two statutes existed, by which it was prohibited, on pain of a *præmunire* to all concerned, to question or impeach the judgements given in the king's courts, or to seek a reversal of such judgements otherwise than by error,

or

or attaint; and upon these statutes the judges evinced an intention of disputing the right of the court of chancery to undo their decisions: judge Crook accordingly, in addressing the grand jury for Middlesex, had specially given in charge this article: "If any man, after a judgement given, had drawn the same judgement to a new examination in any other court?" and the same term, two indictments were preferred for suing in chancery after judgements at common law; to which the grand jury, however, though "clamored by the parties and twice sent back by the court," returned an *Ignoramus*. The lord-chancellor was at this time dangerously ill; and the king, indignant at such presumption on the part of the sages of the common law, required Bacon to inform him fully in the business. It is thus that, in compliance with his majesty's command, he proceeds, after stating the facts, to offer his advice:

"For my opinion, I cannot but begin with this preface; That I am infinitely sorry that your majesty is thus put to salve and cure not only accidents of time but errors of servants: for I account this a kind of sickness of my lord Coke's, that comes almost in as ill a time as the sickness of my lord-chancellor. And as I think it was one of the wisest parts that ever he played, when he went down to your majesty to Royston, and desired to have my lord-chancellor joined with him[a]; so this was one of the weakest parts that ever he played, to make

[a] In the examination of Overbury's murder.

all

all the world perceive that my lord-chancellor is severed from him at this time.

"But for that which may concern your service, which is my end (leaving other men to their own ways), first, my opinion is plainly, that my lord Coke, at this time, is not to be disgraced; both because he is so well habituate for that which remaineth of these capital causes, and also, for that which I find is in his breast touching your finances and matter of your estate. And (if I mought speak it) as I think it were good his hopes were at an end in some kind, so I could wish they were raised in some other.

"On the other side, this great and public affront, not only to the reverend and well-deserving person of your chancellor, (and at a time when he was thought to lie on dying, which was barbarous,) but to your high court of chancery, *which is the court of your absolute power*, may not in my opinion pass lightly, nor end only in some formal atonement. But use is to be made thereof for the settling of your authority and strengthening of your prerogative, according to the true rules of monarchy.

"Now, to reconcile and accommodate these two advices, which seem almost opposite. First, your majesty may not see it, though I confess it be suspicious, that my lord Coke was any way aforehand privy to that which was done; or that he did set or animate it; but only took the matter as it came before him: and that his error was only, that, at such a time, he did not divert it in some good manner.

"Secondly,

"Secondly, if it be true, as is reported, that any of the puisne judges did stir this business; or that they did openly revile and menace the jury for doing their conscience, as they did honestly and truly, I think that judge is worthy to leese his place. And, to be plain with your majesty, I do not think there is any thing a greater *Polychreston,* or *ad multum utile,* to your affairs, than upon a just and fit occasion to make some example against the presumption of a judge in causes that concern your majesty: whereby the whole body of those magistrates may be contained the better in awe: and it may be this will light upon no unfit subject, of a person that is rude, and that no man cares for.

"Thirdly, if there be no one so much in fault, (which yet I cannot affirm either way, and there must be a just ground, God forbid else,) yet I should think that the very presumption of going so far in so high a cause, deserveth to have that done which was done in this very case upon the indictment of serjeant Heale in queen Elizabeth's time; that the judges should answer it, upon their knees, before your majesty or your council, and receive a sharp admonition; at which time also, my lord Wray, being then chief-justice, slipped the collar and was forborne.

"Fourthly, for the persons themselves, Glanville and Allen, which are base fellows and turbulent, I think there will be discovered and proved against them, besides the preferring of the bills, such combinations and contemptuous speeches and behaviours, as there will be good ground to call them, and perhaps

haps some of their petty counsellors at law, into the star-chamber.

"In all this which I have said, your majesty may be pleased to observe, that I do not engage you much in the main point of the jurisdiction, for which I have a great deal of reason, which I now forbear. But two things I wish to be done. The one, that your majesty take this occasion to redouble unto all your judges your ancient and true charge and rule; that you will endure no innovating in the point of jurisdiction; but will have every court impaled within their own precedents, and not to assume to themselves new powers upon conceits and inventions of law. The other, that in these high causes that touch upon state and monarchy, your majesty give them straight charge, that upon any occasions intervenient hereafter, they do not make the vulgar party to their contestations by public handling them before they have consulted with your majesty; to whom the regiment of those things only appertaineth."

Such were the despotic courses suggested by the base spirit of Bacon to a prince sufficiently inclined of himself to lord it over the laws and liberties of England! such the arts by which he sought to strip his more conscientious rival of the hard-earned meed of a life of labor and of important public services!

On occasion of the lord-chancellor's alarming fit of illness, during which Bacon reproaches Coke for attacking his jurisdiction, he himself did not omit

to

to beg his place. In his petitionary letter to the king on this subject, after stating his own pretensions to succeed to the office, he proceeds thus:—"Now, I beseech your majesty, let me put you the present case truly. If you take my lord Coke, this will follow: First, your majesty shall put an overruling nature into an overruling place, which may breed an extreme. Next, you shall blunt his industries in matter of finances, which seemeth to aim at another place. And lastly, popular men are no sure mounters for your majesty's saddle. If you take my lord Hobart, you shall have a judge at the upper end of your council-board, and another at the lower end; whereby your majesty will find your prerogative pent.....If you take my lord of Canterbury, I will say no more but the chancellor's place requires a whole man. And to have both jurisdictions, spiritual and temporal, in that height, is fit but for a king.

"For myself, I can only present your majesty with '*gloria in obsequio*;' yet I dare promise that if I sit in that place, your business shall not make such short turns upon you as it doth; but when a direction is once given, it shall be pursued and performed; and your majesty shall only be troubled with the true care of a king, which is, to think what you would have done in chief, and not how for the passages."

That "*gloria in obsequio*" of which Bacon here makes his boast, is expressed with peculiar energy in another letter, in which he is not ashamed to say

to

to the king, "I am afraid of nothing, but that the master of the horse, your excellent servant, and I, shall fall out who shall hold your stirrop best."

One of the projects for raising money to which James's necessities and his dread of parliaments moved him to give his sanction, was that of sir William Cockaine, who formed a company which offered a great sum for the monopoly of the exportation of dyed cloths, and for a prohibition of the exportation of undyed ones. This patent was found highly pernicious to trade and to the public interest, and on detection of certain malpractices in their mode of acting upon it some of the patentees were committed to prison. Bacon takes occasion to lament to the king, that Coke, by the severity of his speech to the offenders, had impoliticly alarmed them into "turning every stone to help themselves," adding, "But my lord Coke floweth according to his own tides, and not according to the tides of business. The thing which my lord Coke said, was good, and too little; but at this time it was too much." Meaning, probably, that it might tend to raise an odium against projectors and against the court which encouraged them.

But it was soon after the fate of the chief-justice to fall into greater delinquency by his conduct in the business of *commendams*. The case was shortly this: The king had been informed, that a cause of the bishop of Lincoln's was about to be tried, relating to a *commendam*, in which it was to be apprehended, that the general right of his majesty to grant ecclesi-

ecclesiastical livings to bishops in this form, might be brought into question. Alarmed at the bare suspicion of an attack upon any branch of his supremacy, James ordered his attorney-general to speak in support of the prerogative, and also directed the bishop of Winchester to be present at the trial, and to report to him the true state of that question, and how far it extended. The bishop, a noted courtier, brought information that serjeant Chiborne, one of the counsel, had maintained positions and made assertions "very prejudicial to the prerogative royal;" he also stated that the case was set apart to be further argued by the twelve judges on an appointed day. To prevent any untoward decision on the part of this venerable body, the king immediately commanded Bacon to write a letter to the chief-justice, requiring that the judges should suspend all proceedings till they should have consulted with himself and learned his pleasure in the business. Coke returned for the present no other answer to the attorney-general, than that it was fit that each of the judges should receive from him a similar notice;—which was sent accordingly. On the day previously appointed, however, the judges met, to the astonishment and horror of the courtiers, and, having argued their case, agreed upon a joint letter to his majesty, inclosing that received from the attorney-general, and respectfully stating that the cause in question was one between man and man, on which they were in duty bound to deliver their opinion. They further begged to make known that their oath obliged them,

them, in case of their receiving any letters contrary to law, to go on to do their duty notwithstanding; only certifying to his majesty the receipt of such letter; which rule they had accordingly observed in this instance; being unanimously of opinion, that the letter of Mr. attorney was of an unlawful nature, and such as his majesty, being truly informed, would not be pleased that they should give way to.

It may readily be believed, that the irascible temper of James was prompt to take fire at what he regarded as so vehement an insult upon his absolute power; Bacon, who easily traced to the influence of Coke over his brethren a resistance to lawless power then so little to be expected from official servants of the crown, was diligent in fostering the resentment of the king; and it was resolved that a severe lesson should be read to the judges on the consequences of such a contempt as that of which they had been guilty. They were accordingly summoned before the privy-council, where they received a long lecture from the king himself, who declared to them, that in their answer to his letter they had grievously erred "both in form and matter," and who further complained, that they had long been wanting in their duty to the crown, in not interrupting and sharply reproving such advocates as in their pleadings at the bar dared to defame or impeach things of so high a nature as his supremacy; adding, that he had observed, ever since his coming to the crown, that "the popular sort of lawyers had been the men that most affrontedly,

edly, in all parliaments, had trodden upon his prerogative."

After this his majesty's declaration, all the judges fell upon their knees, acknowledged their error and begged forgiveness. The lord-chief-justice nevertheless entered into a defence of the letter, and showed that, in fact, the case in question did not involve the prerogative. The king replied warmly to this defence, and appealed, on the point of law, to the lord-chancellor, who rose up and moved his majesty that he would require his learned counsel first to deliver their opinions in this matter. Bacon being then called on to speak, gave judgement, of course, on the side of the king. Coke "took exceptions" that the king's counsel should be brought to argue with the judges, whose business it was to plead before them, not to dispute against them. The king said they had a right to do so in this case, and "he would maintain them therein." The chief-justice answered, that he would not dispute with his majesty. This extraordinary altercation being thus brought to a conclusion, it seemed good to the king and his privy-councillors to put to the judges the following trying question: "Whether, if at any time, in a case depending before the judges, his majesty conceived it to concern him either in power or profit, and therefore required to consult with them, and that they should stay proceedings in the meantime, they ought not to stay accordingly?" Thus urged, they all "yielded that they would, and acknowledged it to be their duties to do so," with the exception of Coke, who

who returned the following magnanimous answer; "That when the case should be, he would do that which should be fit for a judge to do[a]."

This reply filled the measure of Coke's offences. In the month of June 1616, he was called before the privy-council to answer three articles of accusation. First, that he had concealed a statute of 12,000*l.* due to the crown by the late chancellor Hatton. Secondly, that sitting on the bench, he had uttered words of very high contempt, saying that the common law would be overthrown; and therein reflecting upon the king. Thirdly, his uncivil and indiscreet carriage in the matter of *commendams*. On the first article his defence was so far satisfactory as that no more was said of it at that time, and he afterwards obtained a legal decision in his favor. The second charge he palliated, without however disclaiming the words. The third he confessed, and prayed forgiveness. The immediate result of the examination was, that his name was struck off the list of the privy-council, and he was forbidden to go the circuit. In October following, he was called before the chancellor, prohibited from entering Westminster-hall, and ordered to answer the objection made against certain passages of his published reports; and in the next month he was removed from office. The last stroke overpowered for a time his fortitude; he is said to have received the *supersedeas* "with dejection and tears[b]."

[a] See *Letters and memoirs of sir F. Bacon*, passim.

[b] D'Israeli's *King James*, p. 125.

Prince

Prince Charles, having attained the age of sixteen, was this year created prince of Wales with great solemnity. His marriage now became a matter of more pressing interest with the king his father; and, suspending for the present the tedious treaty which had been opened for the hand of the Spanish infanta, the monarch began to fix his hopes upon the royal house of France, and it was determined that the ambassador extraordinary sent to congratulate Louis XIII. on his marriage should make proposals in form for madame Christine, that monarch's eldest sister. But here too the king of Great Britain found himself baffled; an alliance with the duke of Savoy was preferred by the French court, and after many professions of respect and friendship, the prince of Wales received a negative.—A striking proof of the low estimation in which the sovereign of Great Britain was at this time held by the great princes of Europe! This abortive embassy is chiefly memorable for the exaggerated magnificence, the tasteless and absurd profusion, so truly characteristic of the court of James, which was here exhibited to the wonder, the envy, and perhaps the ridicule, of the Parisians. James Hay, the ambassador, was a Scotchman of humble origin, and no commanding talents, though possessed of some courtly accomplishments, whom the king had raised to the title of lord Hay,—as he afterwards did to those of viscount Doncaster and earl of Carlisle,—had married to an English heiress of high rank, the daughter of lord Denny, and had enriched by his thoughtless bounty. In that age of

of upstarts, he was distinguished above all his fellows by the excess of his vanity and self-importance, and the insanity of his extravagance. His dress, his equipage, his table, were of such extraordinary prodigality, that every memoir-writer of the time has thought it his duty to supply some details respecting them for the astonishment of posterity.

"And for James Hayes, after earl of Carlisle," says Osborne, "though of no more noble extraction than the immediate son of a Scotch merchant, an appellation some under a stall would scorn to patronise, it is known he did bestow more trimming in the varnish of a wainscot carcase, than any of his master's ancestors did in the clothing themselves and their whole families[a]." And again: "The earl of Carlisle was one of the quorum that brought in the vanity of ante-suppers, not heard of in our forefathers' time, and, for ought I have read, or at least remember, unpractised by the most luxurious tyrants. The manner of which was, to have the board covered, at the first entrance of the guests, with dishes as high as a tall man could well reach, filled with the choicest and dearest viands sea or land could afford. And all this once seen, and having feasted the eyes of the invited, was in a manner thrown away, and fresh set on to the same height, having only this advantage of the other, that it was hot. I cannot forget one of the attendants of the king, that at a feast made by this monster in excess, eat to his single

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[a] Osborne's *Memoirs of king James*, c. 30.

share

share a whole pye reckoned to my lord at ten pounds, being composed of ambergris, magisterial of pearl, musk, &c.....And after such suppers, huge banquets no less profuse, a waiter returning his servant home with a cloak-bag filled with sweetmeats and comfects valued to his lordship at more than ten shillings the pound[a]."

Weldon speaks of the earl of Carlisle's giving at Essex house, to the French ambassador, the most sumptuous feast that was ever seen before or since, "in which was such plenty, and fish of that immensity, brought out of Muscovia, that dishes were made to contain them; no dishes in all England before could near hold them." The fish was no doubt sturgeon. The glories of his French embassy are thus described by Wilson: "He, with a great train of young noblemen and other courtiers of eminency, suited themselves with all those ornaments that could give lustre to so dazzling an appearance as love and the congratulation of it carried with it....I remember I saw one of the lord ambassador's suits (and pardon me that I take notice of such petty things): the cloak and hose were made of very fine white beaver, embroidered richly all over with gold and silver; the cloak, almost to the cape, both within and without, having no lining but embroidery. The doublet was of cloth of gold, embroidered so thick that it could not be discerned, and a white beaver hat suitable, brimful of embroidery both above

[a] Osborn's *Memoirs of king James*, c. 38.

and below. This is presented as an essay, for one of the meanest he wore." The day of audience being fixed, some debate arose whether the ambassador and his train should go in coaches or on horseback; but the former mode was rejected, because it would conceal too much the splendor of their equipments; and it was agreed that they should ride with rich footcloths. "Six trumpeters and two marshals in tawny velvet liveries completely suited, laced all over with gold richly and closely laid, led the way. The ambassador followed, with a great train of pages and footmen in the same rich livery incircling his horse, and the rest of his retinue according to their qualities and degrees, in as much bravery as they could devise or procure, followed in couples, to the wonderment of the beholders. And some said, how truly I cannot assert, the ambassador's horse was shod with silver shoes lightly tacked on; and when he came to a place where persons or beauties of eminency were, his very horse prancing and curveting in humble reverence, flung his shoes away, which the greedy understanders scrambled for, and he was content to be gazed on and admired till a farrier, or rather the *argentier*, in one of his rich liveries among the train of footmen, out of a tawny velvet bag took others and tacked them on, which lasted till he came to the next troop of grandees. And thus, with much ado, he reached the Louvre[a]."

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[a] Wilson, p. 92 et seq.

Hay

Hay was afterwards employed in several other embassies, none of which proved more prosperous than the first: but these failures were probably less to be imputed to himself than to his master;—a prince singularly unfortunate in the results of that diplomacy of which he made so great a point and on which he expended such enormous sums of money.

James was at this time intent on cultivating by all means the friendship of the young king of France, and on occasion of the assassination of the marshal D'Ancre by order of Louis, he did not scruple to assure him of his approbation of the act. The situation of the king of France, who, though major and married, was still held in bondage by those who had assumed the direction of affairs during his minority, appears to have recalled to James the circumstances of his own youth in Scotland, and we find his impressions and those of English politicians thus memorably recorded in a letter from secretary Winwood to sir Guy Carleton ambassador to Holland:

...."As the king was young in years, so was he in thraldom and captivity under the queen his mother, and she in subjection to the marshal D'Ancre, both at the devotion of the king of Spain, who confidently may be said to have had as much power and authority in the management of affairs in the court of France, as the duke of Lerma hath in the court of Spain. And this may be believed, that in our age the king of Spain never received so heavy a blow; and that without noise or bruit, for in honor he may

not take notice of it, which so apparently doth recall the proceedings, or rather renverse the very foundations of his ambitious designs."

...."No action hath happened amongst us, which so lively hath discovered the passionate affections of our hearts; for all our parasites and pensioners of Spain have lost all patience, and, which is worse, all modesty and moderation; condemning this action as most impious and inhuman, bloody and tyrannical; not considering that it was at the choice of the king, whether he would neglect the safety of his person and the preservation of his crown, both which must have fallen if Ancre had stood; or proceed, as he did, *sine forma et figura judicii*, by martial law against the usurper of his crown and state. But what opinion soever private particular men, who aim at nothing else but the advancement of their own fortunes, have of this action, his majesty is pleased to approve of it: which doth appear not only by the outward demonstration of his exceeding joy and contentment, when first he received the news thereof, but also by letters which with his own hand he hath written to the French king.....Besides, Mr. comptroller, who hath charge in all diligence to return into France, hath express order to congratulate with the marshal de Vitry, for so now he is, that by his hands the king his master was delivered out of captivity, *et mis hors de page*[a]." So lax was the morality of James and his politicians

[a] *Letters from and to sir Dudley Carleton knight*, p. 129.

even

even where personal interest was out of the question, so large the latitude which they thought allowed to kings in the vindication of their authority!

During the course of this year, a long-pending negotiation was concluded between James and the United Provinces, for the restoration of the cautionary towns which had been put into the hands of queen Elizabeth as security for the money lent by her to the States. That portion of the people who considered much of national glory to consist in the power of strongly influencing the politics of Europe, loudly inveighed against a step by which a lasting pledge for the good behaviour of a neighbouring state was yielded up in consideration of a sum of money, which was also much inferior to the just demands of the English crown. Others, however, thought it reasonable to resign a possession valuable only as a means of interference and annoyance, in exchange for the offered price, and the good will of the Hollanders. It is needless in this place to discuss the arguments by which each opinion might be supported; no one can doubt that James, for the sake of supplying what some called his necessities and others his extravagance, without the intervention of a parliament, would readily have acceded to measures still more injurious to national honor; and it is also clear, that to a prince of his inert and timorous character the occupation of these towns was of no manner of value. The bargain made by the Dutch appears to have been a highly advantageous one for them, and it was also beneficial to

James

James by relieving him from the expense of maintaining needless garrisons: but this, in truth, was almost the only emolument which he was suffered to derive from it; the money paid by the States, amounting to 250,000*l.*, appeared to vanish as soon as it entered the exchequer; the king's debts remained unsatisfied; and, without having availed himself of the sum for any public service, he quickly found himself as necessitous as ever. It is more than probable that most of the courtiers shared, some with and some without the king's knowledge, in the plunder of this public money; but the whole responsibility fell on the lord-treasurer, the father-in-law of the discarded favorite, whom Villiers, now absolute ruler of the king and court, had predetermined to ruin. But the fall of this minister was not completed till the year 1619; and in the mean while other subjects claim attention.

CHAPTER

CHAPTER XVI.

1617.

Earl of Worcester resigns the office of lord-privy-seal to Villiers created earl of Buckingham.—Lord Ellesmere resigns.—Bacon keeper of the seals.—Circumstances of Ellesmere's resignation.—His death and character.—James's visit to Scotland.—He attempts to make himself head of the church, but is opposed by the parliament and clergy;—establishes a court of high commission,—imposes five new articles on the church;—leaves the country in anger.—Court intrigues.—Coke offers his daughter to Buckingham's brother.—Bacon opposes the match.—His letters against it to Buckingham and to the king.—They are displeased, and Bacon offers to promote the match.—The king's return from Scotland.—Bacon ill received by Buckingham, but soon restored to favor.—Coke readmitted to the council-board.—The marriage solemnized.—Coke's wife supported against him.—Book of sports.—Sabbatarian controversy.—Conduct of the lord-mayor of London.—Arrival and reception of a Russian embassy,—of a Turkish chianx.—Death and character of sir Ralph Winwood.

THE old servants of queen Elizabeth began to be regarded as supernumeraries at the court of her successor, and such of them as yet lingered on the scene were one after another dismissed to a private life to make room for impatient reversionaries who disdained to await the slow course of nature. Edward earl of Worcester, whom James had continued in the post of master of the horse, in which he found him, and who

who in the earlier part of his reign appears on some occasions, in the sickness or absence of the earl of Salisbury, to have performed much of the duty of a secretary of state, was prevailed upon to accept a pension and the honorary office of president of the council, resigning his former post to Villiers, now baron Whaddon and viscount Villiers, and soon after earl of Buckingham. Neither was lord Ellesmere, with all his merits towards the crown, permitted to die lord-chancellor of England. In the year 1615 we have seen him judged to be at the point of death, and Bacon begging his place: afterwards he recovered sufficiently to fight with great spirit and success the battles of the court of chancery against sir Edward Coke and the king's bench, and to take an active part in the subsequent degradation and censure of that great lawyer. Two letters of lord Ellesmere to the king, earnestly imploring to be relieved from the burden of his great office, in consideration of his age and infirmities, are extant, but both are without dates; to the first of these the king returned a negative, but probably assented to the second, for on March 3rd 1617 he was permitted to resign the seals, which were immediately committed to the custody of Bacon. The title of earl of Bridgewater was conferred upon lord Ellesmere, and a pension intended; but he survived no more than a week the loss of that high dignity which he had enjoyed for twenty years. Different representations have been given of the manner of his quitting office; the two letters above mentioned are in a strain of affecting

ing urgency, which appears so natural and sincere that we can scarcely believe his resignation a reluctant one; it is also said, that the king came in person to visit him and to receive the seals from his hands; that he shed tears on parting with so old and respected a servant, and that he declared he would have no other lord-chancellor whilst lord Ellesmere survived to bear that title. All these demonstrations however might be insincere; it clearly appears that the impatience of Bacon to reach the furthest goal of his ambition had been exhibited to his predecessor with a frankness both unusual and offensive; and the old man may be thought to have divested himself with some regret of his tempting spoils, for the sake of being allowed to live out his days unenvied, and to die in peace.

Lord Ellesmere might truly be characterized as a faithful officer of the crown, and there was one particular piece of service for which James never ceased to own himself his debtor.

After the union with Scotland had been finally rejected by the English parliament, the king still sought means to extend to his Scotish subjects the privileges of Englishmen. A general bill of naturalization would have been the regular mode of accomplishing this object; but there was no chance of carrying it, and it was necessary to resort to a different expedient.

For the sake of trying the question, one Calvin, a Scotchman born, laid claim to an inheritance in England, notwithstanding the statute which declares foreigners

foreigners incapable of possessing land within the realm. The court of king's bench, before which the cause was brought, did not choose to take upon itself the sole responsibility of so important a decision; and caused it to be carried into the court of exchequer, where it was considered by the chancellor and the twelve judges, who, after consultation, determined unanimously, that persons born in Scotland since his majesty's accession to the English throne,—*postnati*, as they were termed,—were to all intents and purposes English subjects. This decision was in fact that of the chancellor, and by it he offended the nation in the same proportion as he gratified the king. It was affirmed that the decision was contrary to all principle and all European precedents; but as neither house of parliament thought proper to take up the cause, it remained of necessity undisturbed, and continued to afford to the whole Scotch nation the privileges both of inheritance and of eligibility to all offices of trust and profit in England, until the union placed the relations of the two countries on a different and a better footing.

This act, and other instances of subserviency to the royal will during the reign of James, rendered the character of lord Ellesmere, once general revered, the object of much diversity of judgement; by one party he was eulogized as a most upright and exemplary public man, full of justice, moderation, and attachment to the best interests of his country; Osborn on the contrary charges him, in his vague manner,

manner, with corruption; and a very competent estimator has stigmatized him as "famous for his superciliousness and hoisting matters of prerogative[a]."

Early in the summer, James carried into effect the design which he had long entertained of revisiting Scotland. The ostensible motives for this journey were, of course, his affection for his native kingdom, and the promise which he had given on leaving it, that he would often return; but its real object was the establishment of the ecclesiastical system of England on the ruins of that haughty presbytery which continued to hold out an example of such encouragement to the pretensions of the English puritans.

To dazzle his ancient subjects by the full display of the pomp and riches of a king of Great Britain was a part of the policy of James; and he was careful to secure the attendance of a numerous and splendid train of courtiers, at the head of whom shone the new earl of Buckingham, the perfect mirror of magnificence, and the only cherished object of his doting eyes.

Bacon, who now bore the office of lord-keeper, was left behind, and invested with a kind of vice-regal power, which he is said to have exercised with all the arrogance of a new favorite of fortune.

From Berwick the king proceeded by slow and solemn journeys to Edinburgh, welcomed at every town or mansion which he visited in his passage by

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[a] Whitelock's *Memorials of the English affairs*, p. 296.

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panegyrical orations or congratulatory poems, all of which were in Latin,—the Scotch not choosing, probably, to provoke the ridicule of the English courtiers by any specimens of the literature of their ancient and once cultivated language, already degraded to a provincial dialect by the transfer of the seat of empire. The universities of Edinburgh and St. Andrews prepared solemn disputations to he held before his majesty, who characteristically testified his satisfaction in a string of puns on the names of the exhibitors, which appeared to himself so witty that he caused them to be turned both into English and Latin verse. These duties of royalty once performed, the king hastened from Edinburgh to enjoy his sylvan sports amid the scenes in which he had first learned to love them.

In the mean time, his ministers were occupied in the arduous task of preparing to enforce upon a reluctant people the scheme of ecclesiastical domination which it was the highest ambition of the monarch to bring to effect. Episcopacy had been already established in Scotland; but it remained to introduce the ceremonies of the Anglican church and the high-commission court,—that inquisitorial tribunal by which these innovations were to be settled and their perpetual observance guarantied. In the parliament assembled at Edinburgh on the king's return, a refractory spirit was first manifested by the peers, who dreaded, from a sovereign thus zealous in the cause of the hierarchy, sōme attempt to recover for its use the church-lands, which had

stimulated

stimulated and rewarded the zeal of their ancestors in the good work of the reformation. Great difficulty was experienced in procuring a nomination of lords of the articles conformable to the wishes of the king; and he was on the point of dissolving the parliament in anger, when some mode equally effectual and secret was discovered of overcoming this opposition. An act was now proposed, as the basis of all further proceedings, declaring, "that in ecclesiastical affairs, whatever should be determined by the king, with the advice of the prelates and a competent number of the clergy, should receive the operation and force of law." This was, in other words, declaring the sovereign head of the church, and giving up for ever the presbyterian worship and discipline,—the idol of the people. The clergy, in well-founded alarm, hastened to prepare a protestation, which was presented to the parliament just as the act was about to receive the royal assent. It was judged inexpedient to carry it through: but nothing was gained to the religious liberties of the country by this apparent victory of their champions; for the king now claimed, by his inherent prerogative and absolute power, all that the proposed law could have given him. He immediately established a court of high-commission, and one of its first acts was the deprivation of three clergymen who had been active in the drawing and presenting of this remonstrance; by a further exertion of lawless power, two of them were also committed to prison, and a third banished his country for life.

Five

Five articles were propounded to the assembled clergy under the intimidation of these examples of royal vengeance, which were the following: That the eucharist should be received kneeling: That it should be administered in private to the sick: That baptism should be privately administered in cases of necessity: That episcopal confirmation should be given to youth: That the great festivals in commemoration of the principal events in the history of Christ should be duly celebrated.

The rites and practices enjoined by these articles were precisely those which the English puritans peculiarly objected to in the service of their own church, as relics of popery; and what aggravated the tyranny and folly of forcing them upon the Scotch was, that even the English bishops held them to be things in their own nature indifferent; for which reason alone, indeed, they maintained that the church had the right of instituting them, and decreeing their perpetual observance.

The afflicted clergy, overawed by the peremptoriness of the king, yielded for the time a qualified assent to some of the articles, but implored upon their knees the convocation of a general assembly. This, after many precautions to insure its subserviency to the royal pleasure, was granted; and the articles were the next year confirmed by its authority, though not without extreme reluctance and many dissenting voices: the new ordinances, moreover, were observed by none excepting the creatures of the court; the body of the people, inflexible

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in their religious prepossessions, continued to set at nought both the mandates of the king and the decrees of an assembly which they regarded as irregularly convoked. What was worse, their disobedience was in general displayed with impunity;—for James, destitute alike of treasure and of troops, possessed no means of enforcing submission to the dictates of that prerogative in the omnipotence of which he gloried. The Scotch nation however gave him full credit for his intentions; it felt itself insulted, as well as aggrieved, by the imposition of an English ritual,—an English episcopacy; and it viewed the defection of the king from that presbyterian establishment which he had formerly declared the purest church in christendom, and which he had repeatedly protested that he would maintain inviolate, as a base apostasy in which it would be infamous to concur. James on his part was incensed at all the resistance which had been opposed to his absolute power, and rather provoked than conciliated by the few and reluctant concessions of the clergy; and he turned away his steps from his native soil in anger, and probably with the resolution to return no more[a].

In the mean time his English court had been the theatre of intrigues, petty and sordid in their nature and objects, but memorable as well as mortifying from the eminence of the parties concerned.

Sir Edward Coke, whose appetite for power and personal distinction was scarcely inferior to his at-

[a] See Laing's *History of Scotland*, under the year 1617.

tachment

tachment to the constitution of his country, began to be impatient of the exclusion from public life to which his late conduct had doomed him; and appears to have been on the watch for some opportunity of reconciling himself with the court, and again confronting Bacon, his now triumphant rival. This opportunity the lord-keeper himself unwarily afforded him. It seems that, on some occasion during the absence of the king, the airs of superiority which Bacon thought proper to assume had given high offence to sir Ralph Winwood, the secretary of state; who, not content with venting his spleen by some peevish expressions against the lord-keeper in a dispatch to his majesty, sought out Coke, his old friend, and earnestly entreated to be made the means of restoring him to the favor of Buckingham,—the only passport to the good-will of his master. This precious favor Coke had forfeited, some time before, by the coldness with which he had listened to proposals for a marriage between one of his daughters and sir John Villiers, the brother of the earl; and Winwood now proposed that this negotiation should be renewed under his auspices, with the offer, on the part of Coke, of a large marriage portion. Coke consented to this expedient; Buckingham, who had no object so much at heart as the advancement of all the members of his numerous and necessitous family, was propitiated by the overture; and all appeared to be going on prosperously, when sir Edward Coke found himself confronted by obstacles on which he had not calculated. His wife,—the

wealthy

wealthy widow of lord Hatton and grand-daughter of lord Burleigh,—was a woman much more remarkable for a high spirit than for any of the female virtues; and provoked beyond endurance at this attempt on the part of her husband to dispose of their daughter without her concurrence, and contrary, it is said, to the wishes of the young lady herself, she carried her off and lodged her clandestinely at the house of sir Edmund Withipole near Oatlands. Coke thought it necessary to write to Buckingham to procure a warrant from the privy-council for his lady and some of her abettors, in order to the recovery of his daughter,—of so little force was his authority in his own household! Before the arrival of the warrant, however, he learned where his daughter was concealed, and, taking his sons with him, he went to sir Edmund Withipole's house and brought her away by force. Upon this, his contumacious lady made a complaint against him to the privy-council.

Bacon, who dreaded nothing so much as the return of his old antagonist to power, was not ashamed to interfere in this family quarrel, and to countenance Yelverton, the attorney-general, in filing an information in the star-chamber against Coke, for the means which he had taken to recover his daughter,—strictly legal as they unquestionably were. He also wrote two letters, to the king and to his patron Buckingham, respecting this marriage,—pieces which throw too much light both on his own

character and on the view which he took of that of Coke, to be here omitted.

Sir Francis Bacon to the earl of Buckingham.

"I shall write to your lordship of a business which your lordship may think to concern myself; but I do think it concerneth your lordship much more. For as for me, as my judgement is not so weak to think it can do me any hurt, so my love to you is so strong as I would prefer the good of you and yours before mine own particular.

"It seemeth secretary Winwood hath officiously busied himself to make a match between your brother and sir Edward Coke's daughter; and, as we hear, he doth it rather to make a faction than out of any great affection to your lordship. It is true he hath the consent of sir Edward Coke, as we hear, upon reasonable conditions for your brother, and yet no better then without question may be found in some other matches. But the mother's consent is not had, nor the young gentlewoman's, who expecteth a great fortune from her mother, which, without her consent, is endangered. This match, out of my faith and freedom towards your lordship, I hold very inconvenient both for your brother and yourself.

"*First,* he shall marry into a disgraced house, which in reason of state is never held good.

"*Next,* he shall marry into a troubled house of man and wife, which in religion and Christian discretion is disliked.

"*Thirdly,*

" *Thirdly*, your lordship will go near to loose all such your friends as are adverse to sir Edward Coke (myself only except, who out of a pure love and thankfulness shall ever be firm to you).

" And *lastly*, and *chiefly*, believe it, it will greatly weaken and distract the king's service: for though, in regard of the king's great wisdom and depth, I am persuaded those things will not follow which they imagine, yet opinion will do a great deal of harm, and cast the king back, and make him relapse into those inconveniences which are now well on to be recovered.

" Therefore my advice is, and your lordship shall do yourself a great deal of honor if, according to religion and the law of God, your lordship will signify unto my lady your mother, that your desire is, that the marriage be not pressed or proceeded in without the consent of both parents, and so either break it altogether, or defer any further (delay[a]) in it till your lordship's return. And this the rather, for that besides the inconvenience of the matter itself, it hath been carried so harshly and inconsiderately by secretary Winwood, as, for doubt that the father should take away the maiden by force, the mother, to get the start, hath conveyed her away secretly; which is ill of all sides. Thus, hoping your lordship will not only accept well but believe my faithful advice, who by my great experience in the world must needs see further than your lordship can, I ever rest," &c.

[a] Thus in Stephens's collection.

To the king he ventured to express his jealousy of the influence of Coke still more undisguisedly, as follows:

Sir Francis Bacon to the king.

"I think it agreeable to my duty and the great obligation wherein I am tied to your majesty, to be freer than other men in giving your majesty faithful counsel, while things are in passing, and more bound than other men in doing your commandments when your resolution is settled and made known to me. I shall therefore most humbly crave pardon from your majesty, if in plainness and no less humbleness I deliver to your majesty my disinterested opinion in the business of the match of sir John Villiers, which I take to be *magnum in parva:* preserving always the laws and duties of a firm friendship to my lord of Buckingham, whom I will never cease to love, and to whom I have written already, but have not heard yet from his lordship.

"But first I have three suits to make to your majesty, hoping well that you will grant them all.

"The first is, that if there be any merit in drawing on that match, your majesty would bestow the thanks, not upon any zeal of sir Edward Coke to please your majesty; nor upon the eloquent persuasions or pragmaticals of Mr. secretary Winwood; but upon them that carrying your commands and directions with strength and justice, in the matter of the governor of Dieppe, and in the matter of sir Robert Rich, and in the matter of protecting the lady

lady according to your majesty's commandment, have so humbled sir Edward Coke, as he seeketh now that with submission which, as your majesty knoweth, before he rejected with scorn: for this is the true orator that hath persuaded this business; as I doubt not but your majesty in your excellent wisdom doth easily discern.

"My second suit is, that your majesty would not think me so pusillanimous, as that I, that when I was but Mr. Bacon had ever, through your majesty's favor, good reason at sir Edward Coke's hands when he was at the greatest, should now, that your majesty of your great goodness hath placed me so near your chair, (being, as I hope, by God's grace and your instructions, made a servant according to your heart and hand,) fear him or take umbrage of him in respect of mine own particular.

"My third suit is, that if your majesty be resolved the match shall go on, after you have heard my reasons to the contrary, I may receive therein your particular will and commandments from yourself, that I may conform myself thereunto, imagining to myself, though I will not wager on women's minds, that I can prevail more with the mother than any other man. For if I should be requested in it from my lord of Buckingham, the answer of a true friend ought to be; that I had rather go against his mind than against his good; but your majesty I must obey. And besides, I shall conceive that your majesty, out of your great wisdom and depth, doth see those things which I see not. Now therefore, not to hold your

your majesty with many words, which do but drown matter, let me most humbly desire your majesty to take into your royal consideration, that the state is at this time not only in good quiet and obedience, but in good affection and disposition; your majesty's prerogative and authority having risen some just degrees above the horizon more than heretofore, which hath dispersed vapors. Your judges are in good temper, your justices of peace (which is the body of the gentlemen of England) grow to be loving and obsequious, and to be weary of the humor of ruffling; all mutinous spirits grow to be a little poor, and to draw in their horns; and not the less for your majesty's disauctorising the man I speak of. Now then I reasonably doubt, that if there be but an opinion of his coming in with the strength of such an alliance, it will give a turn and relapse in men's minds into the former state of things hardly to be holpen, to the great weakening of your majesty's service.

" Again, your majesty may have perceived, that as far as it was fit for me in modesty to advise, I was ever for a parliament, which seemeth to me to be *cardo rerum*, or *summa summarum* for the present occasions. But this my advice was ever conditional; that your majesty should go to a parliament with a council united, and not distracted; and that your majesty will give me leave never to expect if that man come in. Not for any difference of mine own (for I am *omnibus omnia* for your majesty's service), but because he is by nature unsociable and by habit popular,

popular, and too old to take a new ply. And men begin already to collect, yea and to conclude, that he that raiseth such a smoke to get in, will set all on fire when he is in.

"It may please your majesty, now I have said, I have done. And as I think I have done a duty not unworthy the first year of your last high favor, I most humbly pray your majesty to pardon me if in any thing I have erred: for my errors shall always be supplied by obedience."

The arguments here employed by Bacon appear to have been skilfully adapted to the ruling prejudices of his master; and it is probable that they might have had the intended effect, but for an interposition on which he had not calculated. Lady Compton, the mother of Buckingham, who ruled her son with absolute sway, resolved in favor of this marriage, and took pains to conciliate lady Hatton; Buckingham in consequence became vehement for its accomplishment: and the king followed the lead of his favorite. Orders were sent from Scotland for the suspension of the star-chamber proceedings against sir Edward Coke; a temporary reconciliation was made up between him and his wife; their daughter, who had been placed under the protection of the attorney-general, was resigned to their joint care; and James, with his usual weak propensity to convert the private concerns of his minions into matters of state, threatened to mark his displeasure against such of the privy-councillors as had taken upon

upon them to raise an opposition to the match, by a reprimand pronounced at the first council after his return, in which he said he should "name some of the particular errors, though without accusing particular persons." To Bacon he wrote a severe letter of reproof; and Buckingham himself, though he assured the lord-keeper that he had from the first "played the intercessor" with the king, on account of the vehemence of his anger, let him see that he was considerably displeased on his own account. This unexpected result of steps by which he had hoped to injure none but his old enemy, alarmed the lord-keeper indeed, but was far from sinking him into despondency: he judged that he had ample means of reparation in his power, in the services of every kind which he daily performed to the king and to Buckingham; he availed himself of his resources with all the promptitude, the address, and the unhesitating obsequiousness, which distinguished him. Having propitiated the king and the favorite by a respectful submission, he set himself to promote the marriage which he had deprecated by all the methods he could devise. "Since my last to your lordship," he writes to Buckingham, "I did first send for Mr. attorney-general, and made him know, that since I had heard from court, I was resolved to further the match, and the conditions thereof for your lordship's brother's advancement, the best I could. I did send also to my lady Hatton and some other special friends, to let them know that I would in any thing declare myself for the match;

match; which I did to the end that if they had any apprehension of my assistance, they mought be discouraged in it. I sent also to sir John Butler, and after by letter to my lady your mother, to tender my performance of any good office towards the match, or the advancement from the mother. This was all I could think of for the present." "I did ever foresee," he adds, "that this alliance would go near to leese me your lordship, that I hold so dear; and that was the only respect particular to myself that moved me to be as I was, till I heard from you. But I will rely upon your constancy and nature, and my own deserving, and the firm tie we have in respect of the king's service."

This letter was written in the latter end of August: in the middle of the ensuing month the king returned to Windsor, and Weldon relates the following strange and disgraceful circumstances of Bacon's reception, of which he seems to say that he was an eye-witness.

"He attended two days at Buckingham's chamber, being not admitted to any better place than the room where trencher-scrapers and laqueys attended, there sitting upon an old wooden chest, amongst such as for his baseness were only fit companions, although the honor of his place did merit far more respect; with his purse and seal lying by him on that chest. Myself told a servant of my lord of Buckingham's, it was a shame to see the purse and seal of so little value or esteem in his chamber, though the carrier without it merited nothing but scorn,

scorn, being worst among the basest. He told me they had command it must be so. After two days he had admittance; at first entrance he fell down flat on his face at the duke's foot, kissing it, vowing never to rise till he had his pardon; then was he again reconciled; and since that time so very a slave to the duke and all that family that he durst not deny the command of the meanest of the kindred, nor oppose any thing[a]." It is to be hoped that Weldon has somewhat overcharged this picture, after his custom; but the disgrace of Bacon must have been strongly marked, since his restoration to favor called forth the following energetic expressions of gratitude, in a letter written to Buckingham about a week after the king's return:

"My ever best lord, now better than yourself;

"Your lordship's pen, or rather pencil, hath pourtrayed towards me such magnanimity and nobleness and true kindness, as methinketh I see the image of some ancient virtue, and not any thing of these times. It is the line of my life, and not the lines of my letter, that must express my thankfulness: wherein if I fail, then God fail me, and make me as miserable as I think myself at this time happy by this reviver, through his majesty's singular clemency and your incomparable love and favor."

On the day after the king's return, Coke was re-

[a] Weldon's *King James*, p. 132.

admitted

admitted to the privy-council, but he never recovered the office of lord-chief-justice, or received any appointment in lieu of it. The examination of his *Institutes* by a committee of lawyers, which Bacon had zealously promoted, was now dropped; and during the few succeeding years in which the two antagonists retained their stations at the council-board, they appear to have abstained from all direct acts of hostility; Coke however was still embroiled with his turbulent wife, who was openly countenanced in the war which she had declared aginst him by the party of his political opponents. This violent woman had been committed for a libel against her husband, and was in custody when the long-contested marriage of her daughter took place; but her liberality in the settlement of her independent property on the young couple, procured her speedy release, and enabled her to renew her matrimonial complaints to the king and council.

A letter from sir Thomas Wentworth, afterwards earl of Strafford, to sir Henry Wotton, written in November 1617, has the following paragraph relative to this affair: "The expectancy of sir Edward Coke's rising is much abated, by reason of his lady's liberty, who was brought in great honor to Exeter house by my lord of Buckingham from sir William Craven's, whither she had been remanded, presented by his lordship to the king, received gracious usage, reconciled to her daughter by his majesty, and her house in Holborn enlightened by his presence at dinner, where there was a royal feast, and to make

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it more absolutely her own, express commandment given by her ladyship, as is reported, that neither sir Edward Coke nor any of his servants should be admitted[a]."

Such then were the wars, such the negotiations, which, under the auspices of king James and his favorite, engrossed the attention of the court, and occupied the minds of sir Edward Coke and Francis Bacon!

During the king's journey back from Scotland, which he converted into a hunting progress of several weeks, the observations which he had occasion to make on the temper of the people in the north of England, and particularly in Lancashire, seconded by a petition from the inhabitants of that county, suggested to him a measure pregnant with future mischiefs to the house of Stuart. This was the publication of a "declaration to encourage recreations and sports on the Lord's day;" commonly called *the Book of sports*. The indulgence was a large one, comprehending dancing, archery, leaping, vaulting, May-games, Whitsunales, morrice dances and setting up of Maypoles; bull and bear baiting, interludes and bowls being alone prohibited of the diversions permitted on other days. It was however provided, that these recreations should be held at such hours as not to interfere with divine service, and that they should be allowed to such persons only as had performed the religious duties of the day at their own parish churches.

[a] *Strafford papers*, vol. i. p. 5.

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The people of Lancashire, mostly catholics, embraced with joy the permission to return to their ancient recreations, some of which were closely connected with the observances of the old religion; and the declaration seems to have been read without scruple in the parish churches of that county. On the other hand, it was regarded with horror by the puritanical clergy, and indeed by all but a high-church party, throughout the rest of the kingdom; and Wilson states, that the king's design of causing it to be published in all the parish churches of the kingdom was quashed by the primate's positive refusal to read it in his own church of Croydon.

A few particulars of the Sabbatarian controversy which had preceded these transactions will reflect light on the conduct and motives of James in this affair. Fuller, in his Church History, affords the following notices under the year 1595: "About this time throughout England began the more solemn and strict observation of the Lord's day (hereafter both in writing and preaching commonly called the Sabbath) occasioned by a book this year set forth by one P. Bound doctor in divinity, and enlarged with additions in 1606[a]." The following precepts were contained in this work: That the sanctifying of every seventh day, as in the decalogue, is moral and perpetual: That it ought to be observed as "a most careful, exact and precise rest, after another manner than men are accustomed:" That scholars

[a] Fuller's *Ch. hist.* b. IX. p. 227.

should

should not study the liberal arts on that day, nor lawyers consult, nor serjeants and apparitors be allowed to execute their offices, nor magistrates to examine causes: That the ringing of more bells than one on that day could not be justified: That feasts and wedding dinners should not be made, (*unless by lords, knights and gentlemen,*) and that all recreations lawful on other days, and all speech of pleasure, should be forborne. "It is almost incredible," adds our author, "how taking this doctrine was, partly because of its own purity, and partly for the eminent piety of such persons as maintained it; so that the Lord's day, especially in corporations, began to be precisely kept, people becoming a law to themselves, forbearing such sports as yet by statute permitted; yea many rejoicing at their own restraint herein..... Yet learned men were much divided in their judgements about these Sabbatarian doctrines: some embraced them as ancient truths consonant to scripture long disused and neglected, and now seasonably revived for the increase of piety. Others conceived them grounded on a wrong bottom, but because they tended to the manifest advance of religion it was pity to oppose them.... But a third sort flatly fell out with these positions as galling men's necks with a jewish yoke, against the liberty of Christians: That Christ, as lord of the Sabbath, had removed the rigor thereof and allowed men lawful recreations: That this doctrine put an unequal lustre on the Sunday on set purpose to eclipse all other holidays, to the derogation of the authority

authority of the church: That this strict observance was set up out of faction to be a character of difference, to brand all for libertines who did not entertain it." It was some years however before any one chose openly to oppose the doctrine of Bound and his followers, which in the mean time grew and prospered. At length Thomas Rogers in his preface to the Book of articles boldly attacked "the Sabbatarian errors and impieties;" taking great credit to himself that through his representations their books had been both called in by archbishop Whitgift and "forbidden any more to be printed" by chief-justice Popham. These prohibitions however did but increase the reputation and the sale of the forbidden books; the doctrine grew with the growth of puritanism, and even extended beyond its pale; and at the time when the declaration was issued, it had already become unwise, to say no more, to attempt its subversion by authority. But James was impelled on this occasion by his humor no less than his political bias, and it is difficult to say whether he more disliked the strictness of Sabbath observance as a badge of puritanism, or as a check on the natural carelessness and festivity of his temper. Theologian as he was, his behaviour even at church was grossly irreverent; and the common decencies of the day were fearlessly violated by his household and attendants. On this head it is related, that the court being once about to remove on a Monday from Whitehall to Theobalds, the carts were sent through the city the day before in service time, with much noise and

and clatter. The lord-mayor caused them to be stopped, equally to the indignation and astonishment of the officers who attended them, by whom an angry representation was carried to the king of the indignity which had been put upon them. James was much enraged, and swore he thought there had been no more kings in England than himself: however, after a pause, he condescended to order a regular warrant to be sent to the lord-mayor for the release of the carts: the magistrate immediately complied, with this remark: "While it was in my power I did my duty; but that being taken away by a higher power, it is my duty to obey." The king was struck with the answer, and, on second thoughts, thanked the lord-mayor for his conduct[a].

One of the few remaining incidents of the year 1617 was the arrival of a Russian embassy, which afforded matter both of admiration and amusement to the king and the inhabitants of London. Sir John Finett is the narrator of the particulars of its reception.

On the day of audience, the ambassador with his two assistants proceeded to court from their quarters in the city, all their servants of less esteem marching on foot before them, "the rest in coaches provided by the merchants, each of those on foot carrying before them with ostentation to open view some parcel of the various present sent to his majesty from the emperor. This consisted of sable furs, black foxes, ermines, hawks, with their hoods and

[a] Wilson, p. 106.

mantles

mantles covering their backs and wings, all embroidered with gold and pearl; two lining sables, a Persian dagger and knife set with stones and pearls, two rich cloth of gold Persian horse-cloths, a Persian kettle-drum to lure hawks with, &c. Besides many sables and black fox furs sent the king from three of the principal nobles of the emperor's court, and besides some presented to his majesty from the ambassador and the chancellor. The queen and prince had likewise their several presents of furs from all these mentioned, altogether esteemed worth 4,000*l.* sterling." On their arrival, they were received and ushered into the king's presence in the banqueting-house with all due ceremonies; but, "being entered the room, the exceeding press of people so hindered their profound superstitious reverences, or rather adorations, (as stooping and knocking their foreheads against the ground,) intended to have been thrice, but by that hindrance only once, and that close to his majesty, performed by them, as it turned much to their discountenance and discontent." To repair this misfortune, the bearers of the present, about fifty in number, were afterwards marched one by one along the privy gallery, "where his majesty might at his leisure, in his return, take better view of what the press had before hindered."

These ambassadors were again conducted to court some time afterwards, to receive audience of the king, to transact business with the council, and afterwards to dine with his majesty; when several perplexing accidents occurred which are faithfully recorded

corded by the master of the ceremonies. The king's coach not being sent for their conveyance in due time, lord Delaware was not in waiting at the court gate to receive them on their arrival; "so as the ambassadors, punctilious in their reception, made a stand against the court gate; but at last, against their ceremonious stomachs, went on as far as the midst of that first court, where they were met by the said lord." But the king was now gone to chapel, the ambassadors were obliged to wait an hour for his return, and there was then no time to do business with the council before dinner. Being asked whether they would do business after dinner, they excused themselves, saying, they hoped his majesty would allow them to take their wine, which could not be if they must meet the council afterwards. Yet it was a rule in their country, that they must always "see the prince's eyes" on the day on which they met his council. To humor them in this point, James was obliged to admit them to his presence the next day, on their way to the council[a]. Thus *oriental* were at this period the manners of the semi-barbarous Muscovy!

A few months afterwards, fresh astonishment was excited by the arrival and behaviour of a Turkish chiaux, whose expenses were defrayed by the Turkey company, now a considerable and opulent body. "He had within few days after," says Finett, "his public audience of his majesty in the banqueting-

[a] Finetti *Philoxenis*, p. 38 et seq.

house,

house, purposely hung for him with rich hangings, where his majesty touched one of his followers, said to be his son, for cure of the king's evil, using at it the accustomed ceremony of signing with the cross, but no prayers before or after[a]."

In the autumn of this year, the country was deprived by death of sir Ralph Winwood, principal secretary of state, a man of severe temper and ungracious manners, but an able, and apparently an upright minister, and a strenuous opponent of the Spanish faction. Sir Ralph was the grandson of Lewis Winwood secretary to Charles Brandon duke of Suffolk. He received his education at St. John's college Oxford, was elected probationer-fellow of Magdalen college in 1582, and continuing apparently to reside at the university, was junior proctor in 1592, and two years afterwards supplicated to be admitted a doctor of civil law. He then proceeded to accomplish himself by travel, and in 1599 he attended that able and honorable statesman sir Henry Nevil as secretary in his embassy to France. He afterwards remained some time in that country as resident, and was subsequently appointed ambassador to the United States, in which post he continued during several eventful years. The extraordinary zeal with which he fulfilled the instructions of his master in his absurd and disgraceful applications for the dismissal and persecution of Vorstius, appears to have sprung in part from his personal

[a] Finetti *Philox.* p. 58.

 attachment

attachment to the doctrines of Calvinism; an attachment which seems to have procured for him the friendship of archbishop Abbot. At the negotiations for a truce between Spain and the United States, he assisted as joint-commissioner for the king of Great Britain; and on the completion of this important business he obtained his recall. By the interest of the earl of Somerset, which he probably purchased, Winwood was appointed secretary of state in 1614; sir Thomas Lake being nominated his coadjutor some time afterwards. In this situation, the embarrassments of the government and the grievances of the country forced themselves upon his daily notice and filled his mind with melancholy bodings. To his friend sir Thomas Edmonds, then ambassador in France, he appears to have opened his heart without reserve on these subjects: "I am ashamed," says he on one occasion, "to write what is the extremity of our penury; for which my grief is the greater, because, I profess, I see no remedy or relief[a]." The remarks of Edmonds were equally desponding. Such were the observations confidentially communicated to each other by the public servants of king James, who witnessed with indignation, profusion in the prince and rapacity in his minions which no efforts of theirs could regulate or control; and who beheld with alarm the daily aggravation of popular grievances under a system which excluded the only constitutional mode of redress, the assem-

[a] Birch's *Negotiations*, p. 375.

bling

bling of a parliament! Winwood's friendship for sir Edward Coke and his hostility to Bacon have been already noticed; both may be regarded as tokens of an attachment to the ancient liberties of his country which was likely to draw upon him the displeasure of his sovereign, and which ought to secure to his memory the respect of posterity.

The valuable and able dispatches of sir Ralph Winwood during his employment in Holland, may be read in the "Memorials" which bear his name; and numerous extracts from his correspondence, as secretary of state, with sir Thomas Edmonds, have been given to the world in the "Negotiations" of Dr. Birch.

CHAPTER

CHAPTER XVII.

1618.

Liberation of Raleigh.—Occurrences during his imprisonment.—His expedition to Guiana.—Return,—imprisonment,—death.—King's antipathy to young Raleigh.—Declaration by authority of the motives for putting Raleigh to death.—Proof that he was sacrificed to Spain.—Reform of the royal expenditure.—Condemnation of the lord treasurer for corruption.

AFTER a tedious imprisonment of more than twelve years, the ill-treated Raleigh had obtained in an evil hour the liberty which he had so long solicited in vain; and it now becomes necessary to resume the thread of his disastrous story.

Nothing in the whole life of this illustrious person reflects so much true glory on his memory as the manner in which he had occupied his time and his thoughts during the long period of his involuntary seclusion from the world.

> "Then active still and unrestrained, his mind
> Explored the long extent of ages past,
> And with his prison-hours enriched the world."

That admirable work, the period and circumstances of the writer considered, the "History of the world," and several occasional pieces, were the valuable products of this season of adversity: he also found spirits for the pursuits of chemistry and medicine,

dicine, sciences which had long shared his attention, and the former of which he had the advantage of cultivating in common with his fellow prisoner the earl of Northumberland and the little group of natural philosophers whom this nobleman was permitted to assemble around him within the precincts of the Tower. The fortitude which in such a situation rendered Raleigh complete master of the excellent abilities with which nature had endowed him, appears the more admirable from the peculiar cruelty of a fortune which seemed never weary of pursuing him with fresh injuries and disappointments.

It has been mentioned, that at the time of Raleigh's conviction, the property of Sherborne castle, his principal estate, had been preserved to his heirs by a conveyance of it to his eldest son, which had been executed under the former reign. After his attainder, also, the king had been pleased to grant him his life-interest in it: pecuniary distress therefore, and the ruin of his family, were not at first added to the weight of his afflictions. But two or three years afterwards, the rapacious scrutiny of some of the courtiers had discovered a flaw in this conveyance, and chief-justice Popham, the same judge who presided at Raleigh's trial and sanctioned all its atrocious iniquity, gave it as his judgement that the instrument was bad in law, though the error was nothing more than the accidental omission of a word by the transcriber. Carr, then in the plenitude of his favour and insolence, petitioned the king to grant him this estate, the only remaining support of a wretched prisoner,

prisoner, and the bread of his unhappy children; and Raleigh as a last resource was induced to address to the unfeeling minion the following letter of eloquent expostulation:

"Sir,—After some great losses and many years sorrows, (of both which I have cause to fear I was mistaken in the end,) it is come to my knowledge that yourself, whom I know not but by an honorable fame, hath been persuaded to give me and mine our last fatal blow, by obtaining from his majesty the inheritance of my children and nephews, lost in the law for want of a word. This done, there remaineth nothing with me but the name of life, despoiled of all else but the title and sorrow thereof. His majesty, whom I never offended, (for I hold it unnatural and unmanlike to hate goodness,) stayed me at the grave's brink; not, as I hope, that he thought me worthy of many deaths, and to behold all mine cast out of the world with myself, but as a king who, judging the poor in truth, hath received a promise from God that his throne shall be established for ever.

"And for yourself, sir, seeing your fair day is but now in the dawn, and mine drawn to the evening, your own virtues and the king's grace assuring you of many favors and much honor, I beseech you not to begin your first building upon the ruins of the innocent; and that their sorrows, with mine, may not attend your first plantation. I have been ever bound to your nation, as well for many other graces, as for the true report of my trial to the king's majesty: against whom had I been found malignant, the hearing

hearing of my cause would not have changed enemies into friends, malice into compassion, and the minds of the greater number then present into the commiseration of mine estate. It is not the nature of foul treason to beget such fair passions. Neither could it agree with the duty and love of faithful subjects, especially of your nation, to bewail his overthrow who had conspired against their most natural and liberal lord. I therefore trust, sir, that you will not be the first that shall kill us outright, cut down the tree with the fruit, and undergo the curse of them that enter the fields of the fatherless. Which, if it please you to know the truth, is far less in value than in fame. But that so worthy a gentleman as yourself will rather bind us to you, (being, sir, gentlemen not base in birth and alliance that have interest therein,) and myself, with my uttermost thankfulness will ever remain ready to obey your commands.

"WALTER RALEIGH."

It will readily be conceived, that to him who could need such a remonstrance it would be addressed in vain: Carr persevered in his suit, and obtained it at the hands of a prince regardless alike of justice and of mercy when compliance with his favorites was in question. Lady Raleigh, who kneeled with her children at the king's feet to deprecate the meditated injury, received no other answer from this vicegerent of the deity, as he was pleased to style himself, than the following words, "*I mun ha' the land, I mun ha' it for Carr*;" and the spoliation was completed; the king granting to lady Raleigh and her

son

son a miserable sum of 8,000*l.* under the name of compensation. Prince Henry, the warmest admirer and best friend of Raleigh in his adversity, seems to have witnessed with violent indignation this new act of iniquity, perpetrated by a man whom he hated; and some time after he begged, or rather demanded, that Sherborne should be bestowed on himself. The king, who disliked, and perhaps dreaded, to oppose him in wishes thus expressed, at length consented; and bought back his grant to Carr for 25,000*l.* It is not doubted that it was the purpose of Henry to restore his acquisition to the rightful owner; but his lamented death almost immediately afterwards, precluded the performance of this act of justice, and Sherborne was again bestowed by the monarch on his rapacious favorite.

The loss of his princely patron almost overwhelmed the long tried fortitude of Raleigh. To cultivate the esteem and conciliate the affections of Henry had been for some years the principal object of his solicitude, as it was to the coming reign alone that he could look forward with the hope of restoration to liberty, to favor, and to active life. Among the writings of Raleigh there are several which prove this, particularly two discourses written in 1611, partly by command of the prince, in which he discusses and opposes the marriages with Savoy then proposed for Henry and for his sister; and a letter on ship-building addressed to him. The "History of the world" was also, as he states, "directed" to the prince; whose death he mentions as

as one of several discouragements which had induced him to lay aside the second and third volumes of the work which he had projected and "hewn out." In the same history the following affecting passage also occurs:

"Of the art of war by sea I had written a treatise for the lord Henry prince of Wales; a subject, to my knowledge, never handled by any man ancient or modern. But God hath spared me the labor of finishing it by his loss; by thē loss of that brave prince, of which, like an eclipse of the sun, we shall find the effects hereafter. Impossible it is to equal words and sorrows; I will therefore leave him in the hands of God that hath him—*curæ leves loquuntur, ingentes stupent*[a]."

A famous confection, compounded by Raleigh of a vast multitude of ingredients, according to the pharmaceutics of that age, and called his cordial, was administered to the prince in his last illness. When applied to for this medicine, Raleigh had sent it with the message, that "It would certainly cure him or any other of a fever except in case of poison[b]." The queen dwelt much on this expression when the remedy proved unavailing, and it is said to have been the principal ground of her conviction that her son met his death by foul means. This princess entertained a particular esteem for Raleigh, and exerted herself with great zeal for his relief;

[a] *History of the World*, lib. v. c. i. sec. 6.

[b] Welwood's notes on Wilson, in *Complete history of England*, ii. 714.

but

but no one was more entirely void of interest at the court of her husband; and her efforts only served to prove her wishes. Two events however,—the death of Salisbury shortly before that of the prince, and the disgrace of Somerset some time after,—partly compensated to Raleigh his loss by that event, and revived his hopes of deliverance. Somerset could never be brought to consent to the release of a man whom he had so deeply injured; but his successor in the king's affections had no such motive to be inexorable; and a bribe of 1500*l.* to two courtiers, one of whom was the uncle of Buckingham, served to procure the mediation of this favorite, and the consequent liberation of Raleigh in March 1616.

Sir Walter Raleigh, in the year 1595, had undertaken, with the approbation of queen Elizabeth, a voyage for the purpose of exploring those vast regions of the interior of South America known by the general name of the empire of Guiana. He had sailed far up the great river Oronoko, and having entered into correspondence with some of the native chiefs, and promised in the queen's name to protect them against the cruelties of the Spaniards, who had made some abortive attempts at conquest and settlement in that quarter, had taken formal possession of the country in behalf of his sovereign;—a species of title which may at least be accounted a valid plea against the Spanish claim to the whole western hemisphere by papal donation. No relinquishment of the English right, such as it was, had been

been exacted by the king of Spain in the subsequent treaty between the countries; English navigators had afterwards made several voyages to the coast without calling forth any remonstrances on the part of Philip III.; and Raleigh himself, notwithstanding his captivity, had several times contrived to send vessels thither for the purpose of keeping up his own interest there, and that of his country. He had once offered to go thither in person, if he could obtain his liberty and the king's permission; and this proposition, which had been negatived by Salisbury, he now renewed, as he fondly imagined, under happier auspices. Sir Ralph Winwood was disposed by the general complexion of his politics to encourage a design unpleasing to the court of Spain; the earl of Pembroke patronised it, perhaps for a similar reason; and the earl of Arundel, either from personal friendship to Raleigh, or from the enlightened curiosity by which he was distinguished.

The king listened coldly to the petitions addressed to him on the subject, partly from the dislike and suspicion with which he regarded the original projector, and partly because he was anxious that nothing should interrupt his harmony with that court whence he again indulged the hope of receiving a bride for his son. But Raleigh's confident assertion of the existence of a rich gold mine in Guiana, which he proposed to explore, seems to have proved too tempting a bait to be declined by the necessitous monarch; and Winwood had the satisfaction of procuring his signature to a commission for Raleigh to proceed

proceed on this expedition, dated in August 1616. This commission was represented by the highest legal authority as a virtual pardon of all past treasons; for Bacon, then lord-keeper, being informed by Raleigh that the same persons of whom he had purchased his liberation had offered to procure him a pardon for a further sum, is said to have dissuaded him from the purchase in the following words:— "Sir, the knee-timber of your voyage is money. Spare your purse in this particular; for, upon my life, you have a sufficient pardon for what is past already; the king having, under his broad seal, made you admiral of your fleet and given you power of martial law over your officers and soldiers[a]." Raleigh rested on this decision, imprudently as well as fatally; for he ought to have taken into his account both the general baseness and the particular foibles of the monarch on whom his life depended. Ever since the Spanish court had learned rightly to appreciate the character of James, it had laid aside all hostile attempts against his life and government, and contented itself with gaining most of its ends by means of a system of open bribery with respect to his ministers, and gross cajolery with respect to himself. This system, at the period of Raleigh's liberation, was conducted with peculiar skill and efficacy by the Spanish ambassador don Diego Sarmiento de Acuna, afterwards count de Gondomar, one of the most prominent characters in the history

[a] Howell's *Letters*.

of

of diplomacy in England. Endowed with a strong and clear understanding, with a rich vein of festive wit, with the talent of adroit flattery, and with that species of courtly courage which passes for frankness and affords the most dignified disguise to artifice and perfidy, he possessed every species of advantage over a prince who loved to be amused and was accustomed to be intimidated; and his ascendency over him was daily becoming more absolute. Contrary both to policy and etiquette, James made this licensed spy of an essentially hostile court, the companion of his hours of privacy and relaxation; listened with delight to his sallies, swallowed all his adulation without perceiving it, and listened with fond credulity to his assurances of the perfect willingness of his bigoted court to bestow the hand of the infanta, with an enormous portion, on the prince of Wales, a heretic. It is a characteristic trait of Gondomar, that he was accustomed, in his private audiences and familiar interviews, to converse with the king in extremely bad Latin; "for which," says Osborn, "he had such dexterous evasions as his majesty could by no means make so good use of what was more congruous; it remaining always in his power to alter the times and cases of his words." When reproached by James for his offences against grammar, he would gratify the royal pedant by answering, with an apparent boldness, "that he himself spake like a prince, free and unconfined; his majesty like a grammarian, as if afraid of the ferula[a]."

[a] Osborn's *Advice to a son*, c. 33.

The

The vigilance of Gondomar was alarmed by the first report of Raleigh's projected voyage to Guiana; for the West India possessions of his master were the most vulnerable part of his empire, and the former enterprises of Raleigh in that quarter of the world had inured him to hostility with the Spaniards. The ambassador therefore lost not a moment in denouncing the intended expedition as a scheme of piracy and plunder under the disguise of a mining adventure. James in vain assured him that Raleigh durst not for his life commit any act of enmity against his beloved ally the king of Spain: Gondomar was not to be satisfied till the king compelled sir Walter to commit to writing the whole plan of his voyage, specifying the force to be employed, describing minutely the part of the coast on which he designed to land, and marking the exact situation of the boasted mine; which Keymis, the second in command, professed to have formerly discovered. Raleigh made these disclosures with extreme reluctance, and, according to his own confession, wilfully concealed the circumstance that the Spaniards had built a small town called St. Thomas, and were working mines, at the very point to which he and his adventurers were bound. The king instantly sent his statement, such as it was, to the ambassador, by whom it was conveyed with the same speed to his court; and orders were immediately dispatched in consequence to the governors of the neighbouring Spanish settlements, to be in readiness to resist the approach of the English. Many adventurous spirits were

were found, eager to share the hazards and the glory of so renowned a commander; others contributed with alacrity to the expenses of the equipment, lured by the golden hopes of a mine of unexampled riches; and in July 1617 sir Walter sailed from Plymouth on board the Destiny of 36 guns, built at his own charge, and at the head of a squadron amounting in all to fourteen vessels, most of which were armed, though of small size. It is superfluous here to relate the disasters which awaited this ill-omened fleet on its tedious and dangerous passage: suffice it to say, that on arriving at the mouth of the Oronoco, Raleigh, who was himself incapacitated by sickness from quitting his ship, sent up the river five small vessels, carrying a company of fifty men each, under the command of Keymis and of Walter Raleigh, his eldest son. Their orders were, to make the best of their way to the mine, and not to molest the Spaniards unless first attacked by them. The Spaniards, regardless of the title advanced by the English to the sovereignty of the country, fired upon Raleigh's men as they passed up the river; they landed, made a fierce charge upon the Spaniards, whom they drove into St. Thomas, and proceeded to attack the town; young Raleigh leading on his company to the assault, and, as his father's enemies afterwards affirmed, exclaiming, "that this was the true mine, and that none but fools looked for any other." However this might be, the young leader was slain in the first onset; but his companions persevered and carried the town, which they plundered of the slender booty

it contained and then set on fire. Keymis afterwards attempted to penetrate to the mine; but having lost a part of his small force by an ambuscade, he quitted the enterprise in despair, and returned to the ships to announce to Raleigh the death of his son and the total failure of the whole design. The unhappy commander, in the bitterness of his despair and anguish, reproached Keymis so severely, that this officer retired to his cabin and put a period to his own life. After this disappointment all subordination was at an end, and Raleigh, finding the ruin of his hopes irretrievable, set sail, inglorious and disconsolate, for Europe.

The news of the burning of St. Thomas reached England before him, in the shape of bitter complaints and lofty remonstrances on the part of Gondomar; and James, trembling for his darling Spanish match, had not awaited the return of Raleigh to publish a vehement proclamation declaratory of his detestation of his proceedings. It is mentioned in a contemporary letter that lord Carew, a statesman of distinguished ability and the fast friend of Raleigh, "was upon his knees before the king a good while in his behalf." "And they say," adds the writer, "his majesty's answer was, that as good hang him as deliver him to the king of Spain, who assuredly would; and one of these two he must, at least if the case were so as the Spanish ambassador had represented it. And when my lord yet pressed him, 'Why, the most thou canst expect,' said the king, 'is, that I would give him the hearing;' and so dismissed

missed him. And, indeed, a legal hearing is all sir Walter's well-wishers desire, for then they make no doubt but he will make his cause good against all accusations in this kind whatsoever[a]."

Raleigh in fact had transmitted apologetical accounts of his conduct both to lord Carew and to sir Ralph Winwood, of whose death he was not then apprized. He landed at Plymouth in July 1618, and immediately set out for London to offer his defence to the king and privy-council. Before he had reached Ashburton he was met by his kinsman sir Lewis Stukely with a warrant to take him into custody and convey him to London, and under his charge he returned to Plymouth. This arrest, added to the proclamation already published against him, filled the mind of Raleigh with the most formidable apprehensions, and he at first meditated an escape into France, and engaged a vessel to be in readiness for this purpose; but his courage returning, he laid aside this intention and submitted to recommence his journey. Still, his heart misgave him, and with an artifice unworthy of a great character he feigned a sickness, by the aid of a French empiric who attended him, which procured him a delay of a few days at Salisbury, during which he composed a masterly defence of himself. On approaching London he laid a fresh scheme for his escape to the French coast, in which Le Clerc, the agent for that court, offered him his assistance. A boat was

[a] Cayley's *Life of Raleigh*, ii. 137.

 provided,

provided, and Raleigh had actually proceeded in it below Woolwich, and was doubtless already congratulating himself on his safety, when the perfidious Stukely, who had received a bribe from him for his co-operation, and even affected an active zeal in his service, caused him to be again apprehended; and he was once more committed to his old lodgings in the Tower on August 10, 1618. He was now subjected to frequent examinations by the chancellor and other commissioners appointed for the purpose; and many consultations were held by the ministers to determine, not the best manner of trying his innocence or guilt, but the least ineligible mode of sacrificing him to the politics of the court and the vengeance of Spain.

It was now believed by king James that the alliance between his son and the infanta was on the point of completion; for Gondomar had just departed for Spain bearing the marriage articles, to which the prince of Wales had set his hand: but this minister had commissioned Toby Matthew,—that noted convert of father Parsons who had been recalled from exile purposely to assist in this negotiation,—distinctly to intimate that any slackness in the prosecution of Raleigh would "serve for materials of future and final discontentments[a]." This menace was duly forwarded by Matthew in a letter to the chancellor, his ancient intimate, and on the mind of James it was well calculated to produce its effect.

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[a] Cayley's *Life of Raleigh*, ii. 146.

Still,

Still, the affair was not without its difficulties: to punish Raleigh for burning a Spanish town in Guiana, he having been first attacked by its inhabitants, was to confess that the Spaniards had an exclusive right to establish themselves in this country, notwithstanding the formal possession which had been taken of it by the English;—a concession of no small moment; since at the last peace with Spain, all questions relative to the right of trading and settling in the western hemisphere had been passed over in silence, by mutual consent, as incapable of amicable adjustment; and English adventurers had been left to pursue their enterprises in this quarter with no other check than the certainty of being put to death by the Spaniards as pirates and interlopers whenever they proved the weakest. The king indeed had some cause to complain of Raleigh for an abuse of his commission, by which he was only empowered to dig mines in such parts of the country as were uninhabited, or occupied by Indians alone; but it might be doubtful how far he was legally punishable for this trespass, and an abortive attempt to bring him to punishment was above all things to be avoided.

Two months were occupied by the commission in their examinations and discussions, at the end of which Bacon, with his usual baseness, silently relinquishing the opinion which he had given, that the former sentence against Raleigh had been virtually annulled, concurred in the following report: That the prisoner, having been attainted of treason, the

the highest offence known to the law, could not be called in question for any inferior crime, and that one of these two courses would be advisable:—either that his majesty, together with the warrant for the execution of his former sentence, should simply publish a declaration of the offences since committed by him;—or that, with a nearer approach to the form of a legal proceeding, Raleigh should first be called before the council, to which some noblemen and others should be added, who, after hearing his offences set forth by the king's counsel, and listening to such defence as he could make, should give their opinion whether, in consideration of the acts charged, his majesty might not, in justice and honor, give warrant for his death on the former sentence; and that a solemn act of council should be made, with a memorial of the persons present. The last course, though recommended by the commissioners as the preferable one, appeared to the king less eligible than the more summary mode of proceeding; and an order under the privy-seal was speedily directed to the judges for immediate execution of the prisoner. The judges, on consulting, decided that the prisoner must be brought by *habeas corpus* into the king's bench to receive his doom: this was done; and it was then demanded of him by the chief-justice what he had to say why execution should not be granted? Raleigh pleaded the pardon implied in his late commission, and added a few words on the hardship of the original sentence. The chief-justice, without entering into any argument, authoritatively overruled

overruled the objection, and, after a few words of exhortation to the prisoner to meet death in a becoming frame of mind, declared that execution was granted. Such was the haste used in the business, that the warrant for decapitation with the king's signature affixed, was immediately produced, though James was then absent from London; and the next morning, October 29th, the prisoner was brought to the scaffold in Palace-yard.

The character of Raleigh was not without dark shades; nor had his conduct in the prosperous and active part of his career been free from the blemishes of pride towards his inferiors, immoderate adulation towards the princess whose smile had called him forth from obscurity, a rapacious desire of wealth and power, and an unhesitating employment of the courtly arts of intrigue and corruption. But his genius, equally comprehensive and lofty, had redeemed itself from these unworthinesses. During the twelve long years which he had been doomed to wear away within the walls of a prison, his active spirit had freely exercised itself on those most interesting of all topics of human speculation, the nature and destiny of man, and the relation in which he stands to his maker; and the result had been, what it must ever be in a sound and well-constituted mind, to strengthen his reliance on eternal wisdom and goodness. His piety, which had been rashly called in question by persons incapable of making allowance for any deviation from popular opinions, shone forth in the last solemn scene in admirable union

union with manly courage and philosophical composure. "The world itself," he observed to some of his sorrowing friends, "is but a larger prison, out of which some are daily chosen for execution." On feeling the edge of the axe, "It is a sharp medicine," he said, "but a sure one for all ills." His last speech was a temperate but forcible vindication of his behaviour in the conduct of that unfortunate enterprise for which he was to suffer: as to the plot of which he had been originally convicted,—one *in favor of the king of Spain*,—it was so completely out of the recollection of his hearers, and probably of his own, that he omitted all mention of it; but he labored much to clear himself from the popular imputation under which he suffered, of having witnessed the death of the earl of Essex with a barbarous insensibility. He welcomed the presence of his noble friends the earls of Arundel, Pembroke and Northampton, who came to witness his death, thanking God that he should die in the light and not in the darkness; and he concluded by desiring the prayers of all the spectators for a man who had led a sinful life in all sinful callings,—those of a soldier, a captain, a sea-captain and a courtier. He was cut off in the sixty-sixth year of his age. One son survived him, Carew Raleigh, then a child, who became an accomplished gentleman, and a few years afterwards was presented at court; but the king took a dislike to him, saying that he looked like his father's ghost, and he was advised to travel till the death of James.

This

This anecdote is striking and characteristic; it proves how loudly the conscience of the king upbraided him with the sacrifice of Raleigh, and it indicates the baseness of a nature incapable of making compensation to those whom it has injured, or even of ceasing to follow them with resentment.

A "Declaration" by authority, of the motives of the king for putting to death sir Walter Raleigh, was immediately published, in which he was directly charged with deluding both the king and his fellow-adventurers with the promise of a mine which he knew to have no existence in nature; meaning from the first to employ his forces in piratical assaults upon the Spaniards. A minute narrative was also given of his artifice in feigning sickness in order to gain time; and of his attempts to escape. Respecting this piece it is necessary to remark, that though it professes to be founded upon the examinations of the followers of Raleigh, yet, as these examinations themselves are not given, and as the whole narrative was drawn up by the persons whose particular interest it was to palliate a most unpopular and odious measure,—as Raleigh himself was put to death before it appeared, and it was well known that no surviving friend would dare to undertake his defence against the sovereign himself,—the "Declaration" can only be regarded in the light of a party statement; one of those documents on which no lover of historic truth and equal justice will dare to place the least reliance. The reader will judge for himself from the whole of the case, and from the known

known character of the man, what had probably been the original motives and intentions of Raleigh; those of the king are sufficiently evident; and the use actually made of this deed of unparalleled baseness in the pending negotiation for the hand of the infanta, may be learned from the following letter, addressed by a minister of state to Cottington, then the English agent in Spain;

"Good Mr. Cottington;

"I doubt not but before these come to your hands you will have heard of the receipt of all your former letters. These are in answer of your last of October 8th, wherein you advertise of the arrival of the Conde Gondomar at Lerma, and of his entertainment by that duke. It seemeth unto us here in England that he hath gone but very slowly in his journey, and divers, seeing how long time he hath spent in the way, do make conjecture that it proceedeth from the small affection that he judgeth to be there toward the effecting of the main business; saying, if the ambassador were assured that his master did so really desire the speedy effecting thereof as is pretended, he would have made more haste homeward; and that it hath not been sincerely intended, but merely used by that state as an amusement to entertain and busy his majesty withal, and for the gaining of time for their own ends. And this is muttered here by very many; but I hope we shall ere long receive such an account from thence of their proceedings as will give sufficient satisfaction.

"For

"For my own part, I must confess I am yet well persuaded of their intentions. For, if there be either honor, religion, or moral honesty in them, the protestation and professions that I have so often heard them make, and you likewise daily advertise hither, are sufficient to persuade a man that will not judge them worse than infidels, to expect sincere dealing in the business. And whensoever I shall perceive that they go about to do otherwise, I must confess myself to have been deceived, as I ever shall be, on the like terms, while I deal with inmost care. But withal, I shall judge them the most unworthy and perfidious people of the world; and the more for that his majesty hath given them so many testimonies of his sincere intention toward them, which he daily continueth, *as now of late, by the causing sir Walter Raleigh to be put to death, chiefly for the giving them satisfaction.* Whereof his majesty commanded me to advertise you, and concerning whom you shall by the next receive a declaration, showing the motives which induced his majesty to recal his mercy, through which he had lived this many years a condemned man.

"In the meantime I think it fit, that to the duke of Lerma, the confessor and the secretary of state, you do represent his majesty's real manner of proceeding with that king and state; and how, for the advancing of the great business, he hath endeavoured to satisfy them in all things. Letting them see how, in many actions of late of that nature, his majesty hath strained upon the affections of his people;

ple; and especially in this last concerning sir Walter Raleigh, who died with a great deal of courage and constancy, and, at his death, moved the common sort of people to much remorse, who all attributed his death to the desire his majesty had to satisfy Spain. Further, you may let them know how able a man sir Walter was to have done his majesty service, if he should have been pleased to have employed him. Yet, to give them content, he hath not spared him, when, by preserving him, he might have given great satisfaction to his subjects, and had at his command, upon all occasions, as useful a man as served any prince in Christendom. And, on the contrary, the king of Spain is not pleased to do any thing which may be so inconvenient unto him as to lessen the affections of his people, or to procure so much as murmuring or distractions among them; and therefore it is to be expected that, on his part, they answer his majesty at least with sincere and real proceedings, since that is all they are put to, the difficulties and hazards being indeed on his majesty's side[a]."

The habitual profusion of James, and the ceaseless demands made upon his purse by Buckingham for gratuities either to himself, or to the numerous members of his family who had been elevated to a rank which they had no original means of supporting, had reduced the royal treasury to such a state of embarrassment, that some measures of economy and reform had now become indispensable.

[a] Rushworth, vol. i. p. 9.

Bacon

Bacon was the man whose activity, acuteness, and fertility of resource were on all occasions confided in; he was certainly at this period the most efficient officer of government; and as he refused no services which could recommend him either to the king or the favorite, his letters exhibit the keeper of the great seal equally occupied in carrying through the monopolies, grants of crown land, and other jobs of Buckingham and his kindred on one hand, and in pointing out retrenchments to be made and abuses to be rectified in the household and public offices, on the other. Commissioners were appointed to assist in the latter objects of inquiry; and one fruit of their examinations was the accusation before hinted at against the lord-treasurer, who was charged with the embezzlement of a considerable portion of the money paid by the Dutch for the redemption of their cautionary towns, and with various other malversations in his high office.

The treasurer was by no means a person generally odious in the country; on the contrary, he had been advantageously distinguished, as lord Thomas Howard, in all the principal naval actions of the preceding reign, from the defeat of the Armada downwards, and bore with all classes the character of a brave man and a plain, honest sailor. His capacity however was narrow, and there was a weakness in his temper which seems to have brought him under the absolute dominion of a haughty and unprincipled wife, whose rapacity conducted him to shame and ruin. Every thing connected with the business of the

the treasury is said to have been venal under the management of lady Suffolk and of sir John Bingley, the treasurer's remembrancer, who acted as her agent in driving the trade of corruption. The earl himself was generally believed to have been in great measure, if not entirely, innocent and ignorant of these nefarious transactions; and it was judged necessary to join the names both of the countess and of the remembrancer in the accusation preferred against him. No particulars, either of the charge or the evidence, have come down to posterity, because all the proceedings were carried on in the court of star-chamber, no records of which appear to have been regularly kept;—probably because this tribunal was completely arbitrary, being bound neither by rules of law, nor even by its own precedents. It has however been related, that the accusation was brought in very acrimonious terms by sir Edward Coke, who was not sorry to recover favor with the king by an extraordinary display of zeal on this occasion; and who produced from the abundant stores of his professional erudition all the instances on record of chastisements inflicted on the great officers of the crown for malversation. The lord keeper also made a speech against the delinquents, in which he compared the countess to an exchange-woman who kept her shop, while sir John Bingley cried, "What d'ye lack?" It is said notwithstanding, that Bacon was secretly a friend of the lord-treasurer's, who escaped the better by his means[a]. In the star-

[a] Coke's *Detection*, p. 81.

chamber,

chamber, the rules of which seem to have been in studied opposition to those of the courts of common law, it was always expected that the party accused should acknowledge his offence, and, humbling himself before his judges and the king, implore a remission of his sentence: but Suffolk, whether innocent or guilty, had a spirit above this abjectness; he stood on his defence, and his exculpation being declared unsatisfactory by a tribunal which never acquitted, he and his lady were sentenced to pay a fine of 30,000*l.* and committed to the Tower; Bingley was to pay 2,000*l.* and remain a prisoner in the Fleet. Suffolk, who had previously conveyed away his estates to his brother and his son-in-law, declared himself unable to pay this penalty; and the king, though much offended with him for steps which seemed to imply a distrust of his royal clemency, was soon prevailed upon to mitigate his fine to 7,000*l.* —which was immediately begged by his majesty's Scotch favorite, viscount Haddington. After discharging this sum, the earl was set at liberty; Bingley likewise obtained his release, by the surrender of his place to one of the followers of Buckingham.

The lord-treasurer had been suspended from his office some time before sentence was pronounced against him, and during that interval it was put in commission; but soon after his condemnation Buckingham's mother was permitted to sell it for 20,000*l.* to sir Henry Montague, chief-justice of the king's bench; who had little reason to rejoice in the purchase, for in less than a twelvemonth the staff was taken

taken from him, by the same all-powerful interest, to be conferred on sir Lionel Cranfield, master of the wards.

The chastisement of a great officer of state for public delinquencies, is usually one of the most applauded acts of a monarchical government; but in this instance, as in some succeeding ones, this pretended triumph of impartial justice over the great and powerful, was beheld by the subjects of king James either with indifference or disgust. The reason was plain: nothing could be more notorious than the system of favoritism, intrigue and corruption by which the court was ruled; and it was obvious to every person of common sense, that greater offences than any of which the lord-treasurer was believed guilty would have provoked no animadversion in a Villiers, and that innocence the most unspotted could scarcely have secured from ruin the father-in-law of the fallen Somerset.

CHAPTER XVIII.

1618.

Alarm at the appearance of a comet.—Death and character of the queen.—James makes a speech in the star-chamber.—He judges in person the cause of lady Lake.—Publication of his works.—Synod of Dort.—Divines sent thither by James.—Carleton—Hall—Davenant—Ward—Balcanqual—Goad—Hales.—Account of Selden.—His history of tythes.—Conduct of James to him,—to sir H. Finch.—Rise of lord-keeper Williams.—Progress of Villiers.—Extravagant grants to him and his family.—Causes of discontent.—Marriage treaty with Spain.—Suspension of laws against catholics.—Convents founded in Flanders.—Female jesuits.—The Palatine elected king of Bohemia.—Letter of Abbot respecting him.—Pacific politics of James.

IN the seventeenth century, the appearance of a comet was still regarded less as an astronomical phenomenon than a portent announcing the anger of heaven and predictive of calamity public and private. During the year 1618 one of these bodies exhibited itself to the view of most countries of the civilised world, and carried dismay and horror in its course. Not only mighty monarchs, but the humblest private individuals, seem to have considered the sign as sent to them, and to have set a double guard on all their actions. Thus sir Symonds D'Ewes, the learned antiquary, having been in danger of an untimely end by entangling himself among some bell-ropes,

makes a memorandum in his private diary, never more to exercise himself in bell-ringing when there is a comet in the sky. It was however the general expectation that some national judgement must also ensue. Wilson tells us, that the common people thought this great light was sent as a flambeau to the funeral of the queen, which quickly followed; but he himself deems it to have been portentous of the wars in Germany connected with the assumption of the crown of Bohemia by the elector palatine, in which many thousands perished. It does not appear to which of these two opinions the king himself most inclined;—in fact, it would be difficult to pronounce which of the two events was least calculated to call forth the sensibilities of his royal mind.

The character of the queen, as it was sketched by those who possessed the means of studying it at the court of Scotland, and by Sully on his congratulatory embassy at the commencement of James's English reign, appeared to threaten her husband with a constant succession of domestic quarrels, and of intrigues perplexing at least, if not dangerous. But, much as her temper might incline her to be busy, it required abilities far superior to Anne's to overcome the obstacles which opposed her attainment of political influence in England. A stranger alike to the language and manners of the country, and to the characters of the leading persons in the state; openly neglected by her husband; little regarded by her eldest son, and not warmly espoused, as far

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as appears, by the younger, who succeeded to the place of Henry without inheriting his consequence and activity; she sunk into such total insignificance at St. James's, that, notwithstanding her acknowledged catholic and Spanish predilections, the jesuits themselves do not appear to have found her a tool worth employing. Under this want of domestic attachment and political importance, her majesty consoled and occupied herself with pomps and pageantries, with masks, triumphs and banquets, and, if report may be credited, with the intrigues of gallantry. The advances which she hazarded to the chivalrous lord Herbert have been already mentioned on his own authority; Wilson speaks of her character thus: "She was in her great condition a good woman, not tempted from that height she stood on to embroil her spirit much with things below her (as some busy bodies do), only giving herself content in her own house with such recreations as might not make time tedious to her. And though great persons' actions are often pried into and made envy's mark, yet nothing could be fixed upon her, that left any great impression, but that she may have engraven upon her monument a character of virtue." Long after Anne was in her grave, however, that most ruthless of all principles, party-spirit, seized upon these rumors of her frailty,—which, even if founded in fact, could not then be satisfactorily verified,—as the pretext for robbing her children of their royal birth-right. Among the papers of Charles I. captured at Naseby, was found a copy of instruc-

tions to colonel Cochrane for his embassy to the king of Denmark, containing the following remarkable article: "That in pursuance of their (the parliament's) great design of extirpating the royal blood and monarchy of England, they have endeavoured likewise to lay a great blemish upon the royal family, endeavouring to illegitimate all derived from his sister, at once to cut off the interest and pretensions of the whole race; which their most detestable and scandalous design they have pursued, examining witnesses and conferring circumstances and times to color their pretensions in so great a fault: and which, as his sacred majesty of England, in the true sense of honor of his mother, doth abhor and will punish, so he expects his concurrence in vindicating a sister of so happy memory[a]."

No period of the life of king James is equally rich in materials for his personal history with that at which we are now arrived. It had been one effect of the systematic adulation paid to the pretended wisdom of this monarch by his divines and courtiers, to aggravate exceedingly his propensity to a foolish and conceited kind of intermeddling; and every incident in any way remarkable, whether connected with public affairs or private, which came to his ears, now sufficed to call him into action, and served to exhibit to the world in new lights one of the most singular of human characters.

Several of these circumstances will here be thrown

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[a] *The king's cabinet opened.*

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together, as calculated to elucidate each other. In the month of June 1616 his majesty came in person to his favorite tribunal, the court of star-chamber, and preached a long sermon (for his discourse was preceded by a text) on the duties of all magistrates and public officers, beginning with himself as king, and ending with justices of the peace. He observes, that it might be asked, both why he had come to that place at all, and why he had not come sooner. To the latter question he replies that, on coming into England a stranger, he had resolved with Pythagoras to keep silence seven years and acquaint himself with the laws of the kingdom, and that he had delayed another seven years waiting for a fit occasion on which to come forth and deliver his opinions. After serving "this double apprenticeship," he considers himself as a fit judge of the state of the country and of the duties and business of all public functionaries, and proceeds to utter, after his custom, a variety of impertinences in the shape of paternal instructions, mingled with eulogiums of the star-chamber, complaints of the presumption of the common-law lawyers, bold assertions of his own prerogative as next in place to the deity, and reproaches against the puritans. It is said that James, in the frequent conferences which he held with sir Edward Coke, and with other eminent judges, respecting the English law, had showed himself very desirous of presiding in the king's bench, but was resisted in this strange fancy by Coke. In the court of star-chamber however he had

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no such opposition to encounter, and soon after he had introduced himself there in the manner above mentioned, he actually took his seat as president in the cause of lady Exeter and sir Thomas Lake. The result admirably exemplified the natural consequences of an union of the offices of judge and sovereign in the same individual.

Sir Thomas Lake, a valuable public officer educated under Walsingham, whom James had found clerk of the signet, and after trying in other employments had appointed joint secretary of state after the death of Salisbury, had married his young daughter, for her misfortune and his own, to William Cecil lord Roos. This nobleman, who bore the title of Roos in right of his mother, was grandson to the earl of Exeter, eldest son of lord-treasurer Burleigh. He was sent on his travels in 1607, and persisting in visiting Rome, in spite of the remonstrances of his tutor Mr. Mole, he was there secretly reconciled to the church of Rome, as his father is said to have been before him at the same place. Mr. Mole was here seized upon by the Inquisition on a charge of circulating heretical books, on the information, as was believed, of his perfidious pupil; all efforts for his release proved fruitless, and at the end of thirty years he died a prisoner. Lord Roos in the mean time returned to England, and notwithstanding, or perhaps on account of, the good understanding which he kept up with the catholic fugitives on some subsequent journeys to Flanders and Italy, was sent by James on two successive embassies,

bassies, to the Emperor and to the king of Spain. He returned from Spain in March 1617, and, after embroiling himself with his wife's family and challenging her brother, quitted England again in a few months for Italy, leaving his affairs in great disorder, openly professing himself a catholic, and disregarding an order of council for his return. After his departure, his lady and her mother accounted for this abrupt and suspicious desertion of his country and connexions, by accusing him of having made an attempt to poison them, in consequence of their detecting him in an intrigue with the countess of Exeter, the youthful spouse of his infirm and aged grandfather. No sooner did this tale of family scandal come to the ears of the king, than he summoned the three ladies privately to his presence; when lady Lake and lady Roos produced to him a written confession, signed by the countess, in which she acknowledged her guilt in joining in an attempt to poison them, and implored their forgiveness. The countess, on the other hand, denied the genuineness of this paper and affirmed her innocence; and she had the good fortune to gain over the monarch to her side. It is said, that on pretence of a hunting party he visited the chamber in lord Exeter's house at Wimbledon, in which the confession of the countess was stated to have been signed; and convinced himself that a servant who was produced as having been a witness to the transaction, could not have stood concealed behind the hangings, as she pretended; and, if she could, would have been at too great a distance

stance to overhear what passed. Armed with this discovery, and with some testimonials from lord Roos, James determined to support the countess in proceeding against lady Lake and her daughter for defamation; and sending for sir Thomas, he earnestly advised him to forbear embarking himself in this quarrel, of which he had determined to make a star-chamber matter. Lake thanked the king, but nobly said, that he could not cease to be a husband and a father; and he persisted in putting his name in a cross bill with those of his wife and daughter.

The hearing of the cause took up five days; and the judges appear to have held the matter extremely dubious, till the king, who had hitherto preserved a mysterious silence, announced his important discoveries on the scene of action. After this, the decision could not be doubtful; sir Thomas Lake and his lady were fined 10,000*l.* to the king himself, who concurred in the decree, and 5,000*l.* to the countess; lady Roos, in consideration of some confession made by her in the midst of the trial, was pardoned; but sir Thomas, in addition to his penalty, lost all his places of honor and profit, and was never reinstated in the favor of the royal judge whose will and pleasure he had dared on this occasion to resist. The king characteristically ended by comparing their crimes "to the first plot of the first sin in paradise, the lady to the serpent, her daughter to Eve, and sir Thomas to poor Adam, whose love to his wife, the old sin of our father, had beguiled him[a]."

[a] Saunderson's *Reign of James I.*, pp. 447—449.

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From the whole account of this affair it appears, that, even supposing the imputed guilt of lady Lake and her daughter to be incontestable, the innocence of sir Thomas Lake was equally so; but the vanity of James was interested in supporting the credit of his own discovery, and to this sentiment he sacrificed without scruple a faithful and unoffending servant.

Immediately after these star-chamber matters, the "great schoolmaster" of the land proceeded to edify not his own subjects alone, but the whole of lettered Europe, by the publication of a complete collection of his prose works, both in the original and in a Latin translation. Versions of several of his majesty's pieces had been previously made by different hands, especially one of the "Apology for the oath of allegiance," by sir Henry Wotton, and it is probable that these were employed on this occasion; but the version was completed and the work edited by James Montague, brother to the lord-treasurer, bishop of Winchester and dean of the chapel-royal; one of the greatest favorites and flatterers of king James among an order peculiarly devoted to his pleasure and observant of his foibles.

The bishop's preface, designed to prove that it is by no means derogatory to the dignity of a monarch to be a writer of books, is an admirable specimen of the pedantic and laborious trifling which was the fashion of the age and the delight of the sovereign. The prelate is not ashamed to set at the head of his catalogue of royal authors the deity himself, as the dictator

dictator of the Mosaic tables; and to assign the second place to the Messiah, on account of the sentence which he is related to have written in the dust; he then runs through a long list of celebrated monarchs, from the earliest records down to queen Elizabeth, some of whom are enumerated because they were, and others because they were *not*, writers of books. It is almost superfluous to mention, that the whole is crowned with a magnificent and solemn eulogium of the writings of king James, to which astonishing effects are ascribed in the conversion of papists, and literary immortality is confidently promised.

This publication is in one volume folio; it contains, besides the king's tractates on various subjects, most of which have been already referred to, five of his speeches;—two in parliament, two at Whitehall, and one in the star-chamber. The work is dedicated by the editor to Charles prince of Wales.

The religious dissentions in the United Provinces between the Arminians and Gomarists, otherwise called remonstrants and counter-remonstrants, had been dexterously improved by prince Maurice to the establishment of his own ascendency; and as the means of obtaining further advantages over his political antagonist Barnevelt, he had listened to the representations of the Gomarist divines, whose party he favored, on the expediency of calling a synod in which the errors of Arminius might undergo a final condemnation. On this occasion, he paid his friend

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the king of Great Britain the welcome compliment of requesting that he would delegate to this assembly some able divines who should represent the churches of England and Scotland; similar invitations were also extended to the protestants of Germany and the reformed of Switzerland and of France, which were willingly accepted by all, though the subsequent interference of Louis XIII. prevented any subjects of his from fulfilling their engagement.

Thus summoned and thus constituted, this celebrated protestant synod was opened at the city of Dordrecht, or Dort, in November 1618, the British deputies taking place next to those of the United Provinces.

The choice of these deputies was a matter of considerable delicacy, and had doubtless cost their sovereign much anxious deliberation. Carefully educated in the presbyterian church of Scotland, James had received as his original system of faith the doctrine of Calvin in all its rigor; and a genuine horror of the Arminian theory on the subjects of grace and election, had been doubtless the principal if not sole motive of his furious declarations in the matter of Vorstius. But several considerations of great moment to him as a monarch and a politician, had since intervened to moderate his polemical zeal.

The system of Arminius, which the king was pledged to reprobate in Holland, had in England already become that of many of the most able champions of the prelatical or high-church party, with which he had contracted so close and affectionate an alliance: on the

the other hand, the system of the Gomarists, whose cause he had hotly and hastily espoused, coincided exactly, both in faith and discipline, with the scheme of the Scotch presbyterians and English puritans, so much the object of his dread and detestation; and it suddenly occurred to him that the parity of ministers in the church, which in his own kingdoms he had constantly affirmed to be essentially incompatible with monarchical principles, must be equally irreconcileable with the authority which his ally prince Maurice was endeavouring to assume in Holland. Struck with the dilemma, he hastened to convey to this leader an earnest caution against bestowing his confidence exclusively on the Gomarists. The politics of Maurice did not apparently permit him to attend to this advice; but the spirit of it was scrupulously preserved by James himself in his selection of divines to attend the synod, which was evidently made on the principle of a balance, and with the purpose of promoting mutual conciliation. His nominees were the following:—George Carlton bishop of Llandaff, characterised by the author of the Church History as "a grave and godly bishop, bred and brought up under Mr. Bernard Gilpin, that apostolical man, whose life he wrote in gratitude to his memory, and retained his youthful and poetical studies fresh in his old age[a]." He was also the author of several miscellaneous tracts, and was apparently opposed to the high-church party:—the ex-

[a] Fuller's *Church history*, b. xi. par. 67.

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cellent Hall, then dean of Worcester, who after his return from Dort published a piece recommending a middle course in the disputed points, and treating all differences among protestants as unimportant in comparison with the grand object,—union against the church of Rome:—Davenant, afterwards bishop of Salisbury, a person equally remarkable, it is said, for deep learning, moral worth, and Christian humility, and an advocate of the Arminian doctrine of free grace: and his friend Dr. Samuel Ward, master of Sidney college Cambridge, celebrated for his interesting style of preaching, and for the power which he exerted over the affections of his hearers. With these was improperly joined, as the representative of Scotland, Walter Balcanqual of Pembroke-hall, who is described as no friend to his national church, being doubtless of the episcopalian party so sedulously fostered by James in his native country. On Dr. Hall's being obliged by illness to quit Dort, his place was supplied by Goad, a prebendary of Canterbury, one of the chaplains of archbishop Abbot;—an appointment from which his inclination to the doctrine of Calvin may probably be inferred;—and who is represented as an overbearing disputant.

John Hales, deservedly characterised as "ever memorable," likewise attended the public meetings of the synod in the capacity of chaplain to sir Guy Carleton the English ambassador, to whom he transmitted minutes of the proceedings, and he has himself recorded, that on hearing certain texts ably pressed by

by Episcopius in these conferences, he "bid John Calvin good night."

The spirit of the instructions which these divines bore from the king is singularly contrasted with that of his former proceedings respecting Vorstius. It was required that they should come to a previous agreement among themselves respecting all points to be debated at the synod. Their counsel to those churches was to be,—that their ministers refrain from teaching in their pulpits "those things for ordinary doctrines which are the highest points of schools, and not fit for vulgar capacity, but disputable on both sides:"—that they use no innovation in doctrine:—that they conform themselves to the public confessions of the neighbour reformed churches. It was to be the endeavour of the divines, that certain positions be moderately laid down, which might tend to the mitigation of heat on both sides[a].

The English theologians appear to have conformed themselves entirely to these calm and pacific directions, nor does any blame rest upon them as accessaries to the violences committed by prince Maurice and the Gomarists against the unfortunate Arminians and that martyred patriot the illustrious Barnevelt.

From the perplexities of Dutch polemics it must be confessed that the king of Great Britain had extricated himself with considerable address and propriety, and, what is extraordinary, without exciting to clamor any of the vigilant and exasperated sects

[a] Fuller's *Church hist.* b. x. p. 77.

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which divided among them the religious public of his three kingdoms. But he was far fromac quitting himself with equal credit in the next ecclesiastical matter in which he thought proper to interfere; where, instead of assuming the respectable character of a peace-maker, we find him engaged as the antagonist and oppressor of John Selden, that great name in erudition, in law and in politics.

At this period Selden was still young, and though he had belonged for some years to one of the inns of court, he was scarcely known as a pleader; but several works of profound learning and great ingenuity and acuteness, on novel and recondite subjects, had established his reputation throughout lettered Europe as one of the greatest antiquaries of his age, and one of its deepest, though not its most elegant or tasteful scholars. These his earlier performances had been studied and praised without jealousy by the learned of all parties, for they espoused the cause of no subsisting sect or faction, and involved the interests of no class of men; but he had now, in 1618, offered to the world a work which, even before its appearance, had excited lively alarms in the bosoms of the English clergy, and which immediately drew upon its author the fierce hostility of that reverend body;—this work was his celebrated "History of tythes." On the merits of this subject it will here be necessary to enter into some explanations.

The overthrow of the papal authority in England, as in all other countries which embraced the reformation, had left both the power and the property

perty enjoyed by the church as a prize to be contended for among the sovereign, the nobles, the protestant clergy and the people at large. In this country, owing to the strength of the prerogative, Henry VIII. and the following protestant sovereigns had succeeded in securing to themselves all the authority which had previously been possessed by the pope as head of the church; they had likewise retained for their own use, or distributed at pleasure among their nobles and courtiers, not only all the lands and revenues belonging to the religious foundations,—with the exception of a small portion granted for the support of schools and hospitals,—but much of the land attached to the bishoprics, and no inconsiderable share of the tythes; which had been made over to individuals, either by gift or sale, under the title of lay impropriations. To this species of spoliation king James had put a final stop by an act passed in the first parliament of his reign; judging, and perhaps properly, that any further abridgement of the emoluments of the clergy was incompatible with the due maintenance of an episcopal establishment: but it had been a rather unfair consequence of this enactment, and of the increased influence of the clerical order at court which it indicated, to cast a kind of stigma on the possession, however legal and innocent, of lands or revenues once consecrated to the service of the church, which it became the mode to call sacrilege; and the divines had recently judged it safe to reassert the doctrine of a divine right to tythes, which

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in the former reign had been exploded as one of the grossest impositions of the church of Rome.

The lawyers, as a body, were hostile to this assumption of the clergy, as an unwarranted limitation of the empire of human right and human law; and no one of their number was more fitted, or better inclined, to expose this pretension than Selden; certainly the most philosophical as well as learned inquirer into antiquity who had yet appeared in the country. He proceeded however, in a matter which he perceived to be somewhat hazardous, with perfect decorum, and with all the prudence which the nature of the case permitted. In the preface to his History of Tythes he protested, that his work would be found strictly to correspond to its title; that it was neither written against their divine right, nor in favor of impropriations, nor in any manner against the maintenance of the clergy; and he further protected himself in the act of printing the book by a license from the archbishop's chaplain. But all his precautions were insufficient to shield him from the resentment excited by his choice of such a subject of discussion. The weight of the authorities cited, though unaided by any comments of the writer's own, was decidedly against the divine right; and as soon as this became evident to his clerical readers, they thought themselves justified in carrying their complaints to the king. Fired at the idea of any attack upon so sacred a prejudice, James sent in haste for the author, who was conducted to his presence by Ben Jonson and another friend. In two con-

ferences the monarch made, as usual, a great display of his erudition; and Selden on the other hand employed all his endeavours to propitiate his royal critic by a humble and deferential deportment, and by the promise of writing explanations of some passages which had unfortunately afforded his majesty ground of offence. He probably flattered himself that the atonement was accepted, till, in the following month, he was summoned before certain members of the high-commission, with archbishop Abbot at their head, and persuaded, or rather affrighted, into the humiliating act of making a declaration expressive of a sense of his error in having, by any part of his work, "offered any occasion of argument" against any claim of maintenance by divine right on the part of ministers of the gospel; and also, his unfeigned grief that he had thus incurred the displeasure of his majesty and their lordships. Not satisfied with extorting this submission from the reluctant spirit of the author, the high-commission proceeded to prohibit the book; and while they authorised any one to attack either it or its author with whatever degree of virulence, they strictly forbade him to publish any thing in his own defence.

Besides other polemics of less note, Richard Mountagu, finally bishop of Chichester, a man of learning, but of a violent and overbearing nature, was encouraged to publish an answer to the History of Tythes, dedicated to the king; and Selden himself has related, that while this work was in preparation, the monarch, at an audience which he granted him,

him, was pleased to employ the following menace: "If you or any of your friends shall write against this confutation, I will throw you into prison." Selden was not endowed with the spirit of a martyr, at least with respect to these controversies; and therefore, besides abstaining, as he had been commanded, from printing any defence of his work, he condescended to offer an atonement for his offences by composing three tractates, which he dedicated to the king in an address disgraceful, though not in an equal degree, both to the tyrant and his victim. The first of these pieces relates to the calculations and applications of the celebrated number 666, of which he had ventured to write in his History of Tythes with an undisguised contempt which he now found it expedient to moderate; adding a special exception for "a most acute deduction" of his majesty's own. In the second, he explains away the approbation which he had expressed of Calvin's "judicious and modest" confession respecting the Revelations of St. John,—that "he knew not at all what so obscure a writer meant;" remarking, that such an acknowledgement would not equally become all persons, and speaking of the interpretation of this prophecy published by king James, almost in his boyhood, as, "the clearest sun among the lesser lights." In the third, he finds it necessary, according to "his majesty's most learned directions," to affirm, against his own better knowledge, the certainty of the day assigned to the feast of Christmas;—his contrary

statement having ministered some encouragement to the notions of the puritans.

Such were the sacrifices of truth, of liberality and of common sense, by which one of the greatest of English scholars was compelled to flatter the puerile prejudices, to feed the vanity and to soothe the alarms of "the most learned king in Christendom," the Solomon of his age[a]!"

With reference to James's treatment of the learned, there may here be mentioned what Fuller in his "Worthies" has related concerning sir Henry Finch. "He was sergeant at law to king James, and wrote a book of the law in great esteem with men of his own profession; yet were not his studies confined thereunto, witness his book of "The calling of the Jews;" and all ingenious persons which dissent from his judgement will allow him learnedly to have maintained an error, though he was brought into some trouble by king James, conceiving that on his principles he advanced and extended the Jewish commonwealth, to the depressing and contracting of Christian free monarchies."

The dangerous example of employing churchmen in the affairs of state was first set by James in the admission of Dr. Williams, afterwards lord-keeper, to a seat at the council-board, which took place in 1619. This remarkable person, whose conduct in

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[a] See Dr. Aikin's *Lives of John Selden, esq. and archbishop Usher*, p. 17 & seq.

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the high offices which he was called to fill forms a striking comment on the policy and the inclinations of his master, of which none of his courtiers was more observing, is well worthy of being traced back through all the steps of his previous advancement.

John Williams was born at Conway in 1582. His family was genteel; and after acquiring the rudiments of learning at an endowed school at Ruthin, he was sent by his relation Dr. Vaughan, afterwards bishop of London, with particular recommendations, to St. John's college Cambridge, where he was received by several of his own countrymen with extraordinary favor and applause, due, probably, not less to his connexions than his talents. His diligence in study was indefatigable, for his ambition had already prompted him with an inextinguishable desire of excellence. The large allowance made him by his friends enabled him even at that early period to indulge the propensity to magnificence, and to a somewhat ostentatious liberality, which ever distinguished him, and procured him much notice and many favorers.

Bishop Vaughan's death before his young kinsman was capable of receiving orders, interfered with the regular progress of clerical preferment to which he seemed destined; but his annual visits at London-house had already formed him to the manners of the world and prepared him for civil life; they had also recommended him to the notice of an honorable and munificent patron in the person of lord Lumley, one of the greatest antiquaries, virtu-

osos and book-collectors among the nobility of his age. The bent of Williams's genius was quickly discovered, and the master of St. John's several times appointed him his agent in soliciting causes affecting the secular interests of his college. On these affairs he had two or three interviews with lord Salisbury, and more frequent ones subsequently with archbishop Bancroft and with lord-chancellor Ellesmere, who both testified their sense of his merit; the prelate by a presentation to an archdeaconry, the chancellor by taking him some time afterwards under his own roof in the character of his domestic chaplain;—a situation described in the quaint but expressive phrase of his biographer, as "a nest for an eagle."

Meantime, he had enjoyed the opportunity of preaching before the king with high acceptance, and of serving the office of proctor of the university; in which capacity he gained just credit by his attention to the discipline of the place, and purchased vulgar applause by the ostentatious splendor of his commencement-feast. He also deserved well of the university by a successful effort to appease the indignation conceived by the king against that learned body, on account of the puritanical reluctance, as he esteemed it, manifested by some of its members to elect the earl of Northampton, a known catholic, their chancellor.

The arts and qualifications by which Williams became in a short space "the only jewel which the lord-chancellor hung in his ear," are thus pointedly enume-

enumerated:—"He pleased him with his sermons: he took him mainly with his sharp and solid answers to such questions as were cast forth at table to prove his learning: his fashion and garb to the ladies of the family, who were of great blood and many, was more courtly a great deal than was expected from a scholar: he received strangers with courtesy and labored for their satisfaction: he interposed gravely, as became a divine, against the disorders of the lowest servants: and unto all these plausible practices, the backbone was continual diligence[a]." To all this there was to be added the advantage of the court connexions which he had already formed, and which enabled him to gratify his lord by many important pieces of secret intelligence. At the end of about five years, death deprived Williams of the aged patron whom he ruled; but not till he had "compassed a plentiful fortune to himself from that bounty which denied him nothing, and commonly prevented him before he asked." He had indeed succeeded in accumulating upon himself a mass of church preferment probably seldom equalled in the history of pluralities. "It was the liberality of a large and loving-hearted master," says his eulogist, "that would let him do no less: and it is as true that the chaplain desired no less[b]."

On the death of lord Ellesmere, the new lord-keeper, Bacon, wished to engage Williams in the

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[a] See Hacket's *Life of Williams*, p. 27.

[b] *Ibid.* p. 30.

same

same capacity, but he respectfully declined the offer; and was even preparing to remove to his living in Northamptonshire, when he was detained by his friend James Montague bishop of Winchester, who carried him to the king, by whom he was appointed one of his chaplains in ordinary and ordered to attend him on his northern progress: his majesty was further pleased to command him to stand for his doctor's degree, that his prowess in disputation might be exhibited before the archbishop of Spalatro, an eminent convert from the church of Rome, who had been welcomed with extraordinary respect in England, and invited to visit Cambridge and to participate in its academic honors.

From this time Williams constantly grew in favor with his majesty:—"That king's table," says his biographer, "was a trial of wits. The reading of some books before him was very frequent, while he was at his repast. Otherwise he collected knowledge by variety of questions, which he carried out to the capacity of his understanding writers. Methought his hunting humor was not off so long as his courtiers, I mean the learned, stood about him at his board. He was ever in chase after some disputable doubts, which he would wind and turn about with the most stabbing objections that ever I heard; and was as pleasant and fellow-like in all those discourses as with his huntsmen in the field. They that in many such genial and convivial conferences were ripe and weighty in their answers, were indubiously designed to some place of credit and profit. ....But

.....But among them all with whom king James communed was found none like Daniel. His majesty gave ear more graciously to this chaplain, and directed his speech to him, when he was at hand, oftener than to any that crowded near to harken to the wisdom of that Solomon[a]." The deanery of Salisbury, conferred upon him by the king himself without solicitation, was the first reward which awaited the courtly and colloquial talents of Williams. Elated with such striking proofs of royal favor, the haughty churchman imagined that he was strong enough to stand upon his own ground at court, and he affected to neglect the patronage of Buckingham almost as studiously as it was sought after by others. But James placed some part of his own vanity in the homage paid to his favorite; and a hint conveyed by himself to the dean obliged him to offer his services to this all-powerful protector. Shortly after, James admitted him, as we have seen, to the privy-council; and the service which he was enabled to render Buckingham, in prevailing on the earl of Rutland to bestow his daughter and heiress upon him in marriage, procured for him the deanery of Westminster; a piece of preferment peculiarly adapted to the furtherance of his schemes of ambition, and which also gave him an opportunity of displaying the munificence of his spirit by the large sums which he bestowed for the reparation of the Abbey, for the establishment of a library, and for

[a] Hacket's *Life of Williams*, p. 38.

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the extension and improvement of Westminster school. The next and most extraordinary promotion of Williams was to the office of keeper of the seals, which he attained under circumstances to be recorded in their proper place; meantime it will be proper to track the course of a still more famous child of fortune.

The dotage of James on the gay and graceful Villiers was now at its height; and the favorite blazed forth in all the extravagance of decoration and splendor which delighted the puerile fancy of the monarch. "It was common with him," says a writer, "at an ordinary dancing to have his clothes trimmed with great diamond buttons, and to have diamond hatbands, cockades and earrings; to be yoked with great and manifold ropes and knots of pearl; in short, to be manacled, fettered and imprisoned in jewels: insomuch that at his going to Paris in 1625 he had twenty-seven suits of clothes made, the richest that embroidery, lace, silk, velvet, gold and gems could contribute; one of which was a white uncut velvet, set all over, both suit and cloak, with diamonds, valued at fourscore thousand pounds, besides a great feather stuck all over with diamonds, as were also his sword, girdle, hatband and spurs[a]." Nor was even pomp like this beyond the means of him whose master seemed to have thrown into his lap his three kingdoms and all that they contained. It may safely be said, that there was no office civil or ecclesiastical within these limits which was not

[a] *Life of Raleigh* by Oldys, p. 145, note c.

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in the disposal of Buckingham, no honor in the power of their sovereign to bestow which he could not with a single word obtain either for himself or any one of his relations or connexions. In less than three years from the date of his knighthood, he had obtained for himself the order of the garter, the titles of baron, viscount, earl, and finally that of marquis of Buckingham. Shortly after, his mother had been created countess of Buckingham in her own right; of his brothers, one was made a baronet and the other was knighted and appointed president of Munster; a third, after marrying the daughter of sir Edward Coke, as has been mentioned, was created baron Villiers and viscount Purbeck; and a fourth received the titles of earl of Anglesey and baron of Daventry. One of his sisters was married to lord Butler, another to the earl of Denbigh. To enumerate all the offices of trust and profit held by the favorite and his friends, with the grants, donations and privileges of various kinds which they received, would be endless; suffice it to state, that Buckingham himself was first gentleman of the bed-chamber, and afterwards privy-councillor and master of the horse; that on his expressing a desire for the post of lord-high-admiral, the old earl of Nottingham,—the vanquisher of the Spanish armada,—was dismissed with a pension to make room for him; and that he afterwards added to these high offices, those of chief-justice in eyre of all the parks and forests south of Trent, master of the king's-bench office, high-steward of Westminster, and constable of Windsor-castle.

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Vast revenues were required for the due support of the honors thus accumulated on the heads of persons destitute alike of original fortune and of the intrinsic dignity attendant on commanding abilities or great public services;—revenues which the overburdened exchequer of James was by no means in a condition to supply. In vain did he push to the utmost, for the gratification of his favorite, the granting of pensions and the alienation of crown-lands: in vain did he apply to the same object the great estate of Whaddon forfeited to the crown by the attainder of the unfortunate lord Grey of Wilton, the star-chamber fines, and similar casual sources of profit;—the hungry kindred of Villiers still cried for more, and their appetite must still be pampered. One expedient alone remained; the erecting of monopolies;—an ancient but most oppressive branch of prerogative, which had been classed among the leading grievances of Elizabeth's reign, without having been pushed, even by her, nearly so far as it now was by her successor. Patent after patent was begged of the easy king by the favorite and his family; the chancellor, without whose agency in affixing the great seal they could not be carried into effect, sometimes demurred, from a sense of the odium, and even the danger, which must result from the extension of an abuse ruinous to commerce and incompatible certainly with the spirit, and often even with the letter, of the English law;—but in the end his habitual servility was usually victorious over the dictates both of patriotism and prudence.

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The spirit of popular discontent which so gross a system of partiality and injustice was certain to awaken, was further exasperated by various circumstances in which the prejudices or the policy of the monarch exhibited themselves in strong contrast to the wishes and sentiments of his people. The treaty for the marriage of the prince of Wales with the infanta,—a project which no arguments could reconcile either to the judgement or the feelings of English protestants,—was now carried on with increased earnestness and with great apparent probability of final success. The artful Gondomar, who had made a journey to Madrid to take the further instructions of his prince in this matter, was re-appointed to the court of London as ambassador extraordinary, professedly for the purpose of completing the treaty. The great length of time which he thought proper to consume on the road, infused, however, strong doubts into the minds of politicians respecting the sincerity of the king of Spain in this negotiation; but the people firmly believed that all which they feared and deprecated in that marriage and its consequences would speedily come to pass, and nothing could shake the reliance of James himself on the good faith of his royal ally. Meantime, the execution of the penal laws against catholics, on which the English protestants were persuaded, and perhaps not altogether without reason, that the very existence of church and state depended, was almost entirely dispensed with by the king, in compliment to the religion of his future daughter-in-law. The protection

protection of Gondomar was sufficient to shield from animadversion the busiest priest or the most intriguing jesuit, and the activity and boldness of these missionaries of superstition and rebellion daily increased by impunity. Several of the catholic fugitives were permitted to return, nay even invited, if it was supposed that any good offices of theirs might be of service in hastening the conclusion of the nuptials. The mother of Buckingham was a catholic, and of course zealous in extending encouragement and protection to those of her own communion; her son was believed to be at least indifferent to the protestant religion, and his lady had only been converted from popery by the persuasions of Dr. Williams, at the king's particular desire, and as a preliminary to her marriage. Many church papists as they were called, or occasional conformists, throughout the country, had been admitted into the commission of the peace, and into various offices of trust and profit; even the important duties of the secretaryship were now divided between sir Robert Naunton, and Calvert, a known catholic. The zeal of the English catholics beyond the seas, and especially of the jesuits, was redoubled by the fresh hopes which they conceived from the lenity, the remissness, and the politics of the king. Several convents for British subjects, both male and female, were established in Flanders and in other parts of the dominions of the king of Spain, and a startling attempt had been made to convert the ladies of England by means of a seminary of female jesuits. The author

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of this remarkable institution was Mrs. Mary Ward, a lady who had been admitted a novice in a convent at Graveline, but disliking that recluse life projected, under the guidance of Roger Lee, a jesuit, a female society on the plan of his order. Having persuaded several ladies to adopt her ideas, she assembled them in 1608 in a house at St. Omers. The plan was, to be bound by certain vows, but without the usual obligation to inclosure, and to devote all the time not occupied by religious duties to the education of young persons of their own sex. This establishment, warmly patronised by the jesuits, was opposed both by the English nuns in Flanders and by many of the graver priests in England, and, as might be expected, instances were adduced of improper conduct in some of the sisterhood when permitted to ramble abroad as the missionaries of their order. The foundress, perhaps on account of these objections, was never able to obtain a confirmation of her rule from the pope, though some of her nuns went in person to sue for it; the society encountered many other difficulties, was compelled to remove from place to place, and appeared on the point of extinction, when it at length found at Munich the means of a comfortable and permanent establishment. In the mean time Mrs. Ward made frequent journeys to England, and, being a person of good address, prevailed upon several young ladies to quit their friends and adopt her rule[a].

[a] Dodd's *Church history*, vol. ii. p. 341.

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From all these circumstances it plainly appears, that the ancient religion was rising again in formidable strength under the connivance of James and the powerful patronage of the great potentates of Europe; and nothing perhaps but the rival zeal of the puritanical, or earnestly protestant party, would have sufficed to check, while it was yet time, its terrible and baneful progress. Certain events which were at this period agitating a great part of Germany, and in which the fortunes of James's daughter and her family were staked upon the chances of war, afforded a fresh topic to the declaimers against the tyrannical and encroaching spirit of this religion; and gave occasion to political conduct on the part of the king of Great Britain which sunk him still lower in the estimation of his own subjects and of all Europe.

The kingdom of Bohemia, in which the protestants, or Hussites, composed a majority of the people, had long been involved in disputes, and sometimes in actual warfare, with the emperors of the house of Austria, who were its kings, on account of the violations of the laws made for the protection of the protestants of which these princes were systematically guilty. At length, roused by intolerable wrongs, the people had risen in arms, and, renouncing all allegiance to the new emperor Ferdinand,—who had caused himself to be proclaimed their king in virtue of a kind of mock-election carried under the influence of his predecessor,—they prepared to strengthen themselves by the choice of a new

a new sovereign and protector. Their nomination fell upon the elector-palatine; one of the most considerable princes of protestant Germany by the extent, riches and population of his own dominions, and the strongest of them all, by his foreign alliances; being nephew to Maurice prince of Orange and to the duke of Bouillon, as well as son-in-law to the king of Great Britain. Frederic, unable to resist the dazzling offer of a crown, notified an acceptance, by which he incurred the enmity of the whole house of Austria, without waiting for the advice either of James or of Maurice, which he had affected to ask, but which he well knew would prove contrary to his wishes; and he was crowned at Prague in November 1619. Whether or not the king should recognise his royal title, now became a weighty question; and one which, it is possible, might have perplexed and divided the ablest politicians of Europe: but it was decided by James, after his usual manner, rather according to the maxims of his boasted king-craft,—that is, the dictates of what he regarded as his personal interest,—than any sound or enlightened views of general policy; nor, to say the truth, was it viewed by those who espoused the opposite opinion through a medium much less clouded by passion and prejudice.

Archbishop Abbot had been from the first a strenuous partisan of the palatine; and being prevented by illness from assisting at the council called on this occasion, he addressed a letter to secretary Naunton, in which he advises that there should be "no going

back, but a countenancing of" the cause of the new king "against all the world; yea, so far as with ringing of bells and making of bonfires in London." "I am satisfied in my conscience," he proceeds, "that the cause is just, wherefore they have rejected that proud and bloody man;.... And when God hath set up the prince that is chosen to be a mark of honor through all Christendom, to propagate his gospel, and to protect the oppressed, I dare not, for my part, give advice but to follow where God leads." The worthy prelate goes on to give reasons for his counsel, drawn from his own notions of the approaching fulfilment of certain texts in the book of Revelations denouncing the overthrow of the beast; then, descending to the human means of bringing about this great catastrophe, he expresses his hope that for the supplies necessary to carry on the war, God will provide: "The parliament," he adds, "is the old and honorable way, but how assured at this time I know not; yet I will hope the best: certainly, if countenance be given to the action, many brave spirits will voluntarily go. Our great master, in sufficient want of money, gave some aid to the duke of Savoy, and furnished out a pretty army in the cause of Cleve. We must try once again what can be done in this business of a higher nature, and all the money that may be spared is to be turned that way. And perhaps God provided the jewels that were laid up in the Tower to be gathered by the mother for the preservation of her daughter, who, like a noble princess, hath professed

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to her husband not to leave herself one jewel, rather than not maintain so religious and righteous a cause[a]."

Though himself a commentator on the Revelations, and a champion of the opinion that popery was the Babylonish abomination, and the pope Antichrist, king James was by no means prepared to adopt on this occasion the primate's confident interpretation of the divine decrees: He was little disposed to devote to the cause of his son-in-law "all the money that might be spared" from the gratification of his insatiable favorite and his family; still less was he inclined, by rushing into the hazards and expenses of a distant war, to involve himself in cares and embarrassments which might well be shunned; and to hasten the arrival of that evil day, which he already saw impending, when his necessities would again compel him to assemble an intractable and exasperated house of commons. These objections were enforced by others not less characteristic of the monarch: It was incompatible with all his notions of the divine inalienable right of kings, to support the Bohemians in deposing, upon any plea or pretext, the sovereign who had once occupied their throne, and electing another at their own pleasure: There was an implicit tie, he observed, among princes, which ought to withhold them from ever countenancing such practices against each other. The success too of his favorite project of a Spanish match, depended,

[a] *Biographia Brit.*, art. Abbot.

as he believed, on his abstaining from all interference with the interests of the emperor ;—the head of that great Austrian family which by its union aimed at the subjugation of Europe. Finally, his vanity persuaded him that the long-established fame of his wisdom and equity had entitled him to become the arbiter of the strife ; and that, without raising a regiment, he could cause his award to be received as an irreversible sentence by all the contending parties. Nothing, he conceived, was necessary but to visit all by his ambassadors, and explain to them at large them the dictates of his profound and dispassionate judgement. With this view he had already, before the election of the palatine, dispatched Hay, now viscount Doncaster, to negotiate between the Bohemians and the emperor. It is true that this potentate, not choosing yet to declare himself upon the subject, had constantly avoided the sight of the representative of his Britannic majesty ; and, by empty promises of admitting him to an audience at some future time, had drawn him to follow, and, as it were, to hunt him, in the various progresses through his dominions which he made in the course of his warlike preparations ;—much to the inconvenience of the ambassador, and, in the judgement of the rest of Europe, to the scorn and mockery of his master. But James, with that obstinate credulity inseparable from the vanity of a weak or a sanguine character, clung fast to the opinion of his own importance, and the reverence entertained for him by the courts of Vienna and Madrid ; and declining either to recog-

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nise the title, or even give audience to the envoy, of the new king of Bohemia, he turned with renewed activity to the prosecution of his beloved diplomacy.

Buckingham and the courtiers applauded the decision of the king, which seemed most agreeable to their interests; but, in the nation at large, his indifference to the protestant interest and to the cause of his own children rendered him the object of censure and suspicion.

The further progress of the German contest led to important results, and especially to the summoning of a parliament for ever memorable in the political history of England: but before we proceed in the narrative, it will be desirable to add some further traits illustrative of the political views of the king and the internal state of the country.

CHAPTER

CHAPTER XIX.

1617 to 1620.

James's speech against flocking to London.—His conduct to the antiquarian society.—His hostility to the common law. —Abuses in the administration of justice.—Chancery.—Star-chamber.—High-commission.—Torture.—Trials for witchcraft.

WHATEVER might be the defects of James's intellectual constitution, he was certainly by no means deficient in acuteness, where his observation was sharpened by any apprehended danger either to his person or his cherished prerogative. History and reflection appear to have instructed him, that it is principally by the free and rapid communication of mind with mind, in the large and varied assemblages of great cities, that the knowledge of civil rights, the sense of public grievances, and the zeal for political liberty are produced and nurtured. Accordingly, he had anxiously endeavoured to restrain, by proclamations and other means, that propensity of the nobility and gentry to flock to London, which had increased with the increasing gaiety and luxury of the capital. In his star-chamber speech he had vehemently declared against the growth of new buildings in the suburbs, and had assigned a variety of plausible reasons,—suppressing however the political

tical ones, which he probably felt as the most cogent, —for the constant residence of the landed proprietors in those mansions where their ancestors had exercised hospitality from generation to generation. "One of the greatest causes," says his majesty, "of all gentlemen's desire that have no calling or errand to dwell in London, is apparently the pride of the women: for if they be wives, then their husbands, and if they be maids, then their fathers, must bring them up to London; because the new fashion is to be had no where but in London: and here, if they be unmarried, they mar their marriages, and if they be married, they lose their reputations and rob their husbands' purses. It is the fashion of Italy.....that all the gentry dwell in the principal towns, and so the whole country is empty: even so now in England, all the country is gotten into London, so as with time England will be only London, and the whole country be left waste: for as we now do imitate the French in fashion of clothes, and laquies to follow every man, so have we got up the Italian fashion, in living miserably in our houses and dwelling all in the city: but let us, in God's name, leave these idle foreign toys, and keep the old fashion of England.....Therefore," he concludes, "as every fish lives in his own place, some in the fresh, some in the salt, some in the mud, so let every one live in his own place, some at court, some in the city, some in the country; specially at festival times, as Christmas and Easter and the rest."

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With sentiments like these, the establishment of any society in the metropolis capable of furnishing noblemen and gentlemen with an additional motive for frequenting it, must have been unwelcome to the king, and his conduct towards the antiquarian society affords an additional illustration of the spirit of his policy in these affairs.

This learned association, founded by archbishop Parker, had flourished, first under his auspices and afterwards under those of his successor Grindal, during thirty years of the reign of Elizabeth. It had numbered among its members sir Robert Cotton, at whose house the meetings were long held, bishop Andrews, Camden, Carew the Cornish antiquary, Francis Thynne herald and chronicler, Stow, Spelman, Joseph Holland keeper of the records in the Tower, sir Philip Sidney, sir Thomas Lake, William lord Compton, chief-justice Ley afterwards earl of Marlborough, judges Dodderidge, Tate and Whitelock, serjeant Fleetwood, Hakewill solicitor to the queen, sir John Davies and Selden; with many other private gentlemen and scholars, respected in their time, but less known to posterity.

From such an assemblage, it is manifest that neither popery nor puritanism was likely to derive support, and as little was any plot against the state to be apprehended from it: yet on the application of the society, in 1604, for a charter of incorporation, it had been authoritatively suppressed by king James, "alarmed for the arcana of his government, and, as some

some think, for the established church[a]." The society continued however to meet as a private club; and in 1617, when it was judged that fourteen years of tranquil rule might have calmed the panic of the royal breast, a fresh memorial was drawn up, and addressed, like all other petitions, to Buckingham. Of this application we only know that it was unsuccessful, but it is not difficult to suggest a cogent reason for its failure. It will be observed, that a very large proportion of the more active and eminent of these students of national antiquities were either judges or pleaders in the courts of common law, a body of men viewed by James with peculiar jealousy and dislike, as depositaries of those chartered rights which he habitually infringed, and champions of that national system of jurisprudence which he desired to abrogate; and nothing would appear to him more unsafe or inexpedient than to countenance the search for ancient documents, and the discussion of ancient laws and customs, by persons thus qualified and thus predisposed.

The king's harangue on taking his seat in the star-chamber, in which he was pleased to say that he would make good the old proverb "comb seldom, comb sore," might almost be regarded as a manifesto against the law of England and those by whom it was faithfully and courageously administered. Addressing himself to the judges, he strictly charged them to remember to keep their own limits,

[a] *Introduction to Archæologia.*

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"towards the king, towards other courts, and towards other laws." Under the first head, in contempt of the law and of their solemn oaths of office, he enjoins them to deal with no question which concerned his "prerogative or mystery of state," till they had consulted with the king or his council; "for these," says he, "are transcendent matters, and must not be slibberly carried with over-rash wilfulness; for so may you wound the king through the sides of a private person: and this I commend unto your special care, as some of you of late have done very well, to blunt the sharp edge and vain popular humor of some lawyers at the bar, that think they are not eloquent and bold-spirited enough, except they meddle with the king's prerogative: but do not you suffer this; for certainly, if this liberty be suffered, the king's prerogative, the crown, and I, shall be as much wounded by their pleading as if you resolved what they disputed. That which concerns the mystery of the king's power is not lawful to be disputed; for that is to wade into the weakness of princes, and to take away the mystical reverence that belongs unto them that sit in the throne of God."

With respect to other courts, he inculcates much reverence for the royal court of chancery, and expresses his high indignation at the "foolish, inept, and presumptuous attempt" on the part of the common law to bring the officers of that court under a *præmunire*. He also finds great fault with the frequent granting of prohibitions by the king's bench against

against the spiritual courts, and declares that men come now to courts less to hear decrees given, than questions of jurisdiction decided, and see which court will prevail. As for the star-chamber, he says, "It hath a name from heaven, a star placed in it; and a star is a glorious creature, and seated in a glorious place, next unto the angels," and adds, that it "hath that belonging to it which belongs to no other court: for in this court attempts are punishable, where other courts punish only facts; and also where the law punisheth facts easily, as in cases of riots or combats, there the star-chamber punisheth in a higher degree; and also all combinations of practices and conspiracies. And if the king be dishonored or contemned in his prerogative, it belongeth most properly to the peers and judges of this court to punish it." He finally commands them not to nourish men in contempt for other courts, but to teach reverence for them in their public speeches, and to remember, that they are to declare and not to make law[a].

While the monarch was thus jealous of what he treated as the arrogancies of the jury-courts, and their encroachments upon those which were constituted and administered more according to the rules of the civil law, better jurists and better Englishmen perceived that all the usurpation was on the other side; and they earnestly deprecated, and labored to avert, the public mischiefs which threatened to re-

[a] *King James's Works*, fol. pp. 549 et seq.

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sult from the daily increasing abuses in the administration of justice;—abuses, than which none are more adapted to debase the spirit of a patient people or to exasperate that of a free and generous one.

On this subject, too much neglected by the historians of the reign of James, it may be instructive to enter into some details. In the "Table-talk" of the wise and learned Selden,—that valuable repository of his free judgements and acute remarks,—is the following observation concerning the chancery:—"Equity is a roguish thing; for law we have a measure,—know what to trust to; equity is according to the conscience of him that is chancellor, and as that is larger or narrower, so is equity. It is all one as they should make the standard for the measure we call a foot, a chancellor's foot; what an uncertain measure would this be! One chancellor has a long foot, another a short foot, a third an indifferent foot; it is the same thing in the chancellor's conscience."

When this high court of judicature, from which, according to James's own statement in the speech above cited, there then lay no appeal, was thus arbitrary in its judgements,—and not, as now, circumscribed by recorded decisions and rules of law,—it may well be believed to have acted in many cases partially and oppressively; and the attempt of Coke to restrain its jurisdiction might deserve to be regarded as a patriotic effort, however unsuccessful.

The star-chamber, independently of all the particular instances of its cruel and corrupt judgements which

which stain the annals of the Tudors and the Stuarts, stands sufficiently condemned in the king's own enumeration of its tremendous powers of punishing intentions; of enhancing the penalties awarded by the common law of the land; and of chastising contempts against the royal prerogative of which no law took cognisance.

It is needless here to expose the iniquities and barbarities of that genuine Inquisition the high-commission court, through which the king exercised his jurisdiction as head of the church;—but the following observation of Selden's applies equally to the penalties inflicted by this court and by that of the star-chamber:—"The old law was, that when a man was fined, he was to be fined "*salvo contenemento*," so as his countenance might be safe; taking countenance in the same sense as your countryman does, when he says, "If you will come to my house, I will show you the best countenance I can," that is, not the best face, but the best entertainment. The meaning of the law was, that so much should be taken from a man, such a gobbet sliced off, that yet, notwithstanding, he might live in the same rank and condition as before; but now they fine men ten times more than they are worth." Osborn, in his strong though homely manner, describes the star-chamber as a place where the great men alternately "held one another up to be whipped:" and certainly they did not spare the lash on a fallen rival or discarded favorite.

But of all the deteriorations which the mild and venerable

venerable system of English jurisprudence had suffered from the adoption of foreign modes of tyranny and coercion, none was so flagitious, none so opprobrious to an age which called itself enlightened and civilised, as the introduction of judicial torture.

That this atrocity was practised in a manner as absurd and barbarous as the thing itself, Selden thus testifies:—"The rack is used nowhere as in England: in other countries it is used in judicature when there is a *semiplena probatio,* a half proof against a man; then to see if they can make it full, they rack him if he will not confess: but here in England they take a man and rack him, I do not know why, but when somebody bids."

It will be important to trace with some minuteness the progress of this abuse. "There is nothing upon which Englishmen have greater reason to pride themselves, than those peculiar notions of government and law which have at all times distinguished them from the other nations of Europe, in the absence of judicial torture and of all cruel modes of executing convicted criminals. While these prevailed in all the neighbouring states, especially in France and Scotland, they were scarcely known in this country; and with the exception of the punishment for high treason, and of the barbarous punishment of the *peine forte et dure,* were never recognised by our law. Upon occasion, indeed, of crimes which were considered as of great enormity, there has appeared in some of our public men a disposition to have recourse to torture for the discovery of accom-

accomplices, or to extort confession; but its illegality, and absolute incompatibility with the whole system of our government and jurisprudence, have generally prevented it from being actually practised. A memorable instance of this kind occurred during the proceedings against the knights templars in the reign of Edward II. The archbishop of York, in the examinations which he took against the supposed offenders, was desirous of applying the rack; but suggested to several monasteries and divines the doubts he entertained whether he could have recourse to it, seeing that in this realm of England it had never been seen or heard of. He further desired their opinion whether, if torture should be applied, it should be done by priests or laymen; and whether, if no person could be found in England to do the office, he might send for expert torturers from foreign parts." (See Walter Hemingford, p. 256[a].)

"The trial by rack," says Blackstone, "is utterly unknown to the law of England, though once, when the dukes of Exeter and Suffolk, and other ministers of Henry VI., had laid a design to introduce the civil law into this kingdom as the rule of government, for a beginning thereof they erected a rack for torture; which was called in derision the duke of Exeter's daughter, and still remains in the Tower

[a] I quote from some MS. collections of a late eminent ornament of the chancery-bar kindly communicated to me for the use of this work.

of

of London[a]." This plan was happily not proceeded in; but a very iniquitous case is recorded in the reign of Edward IV., in which sir Thomas Cooke, who had been lord-mayor of London, was arraigned of treason for lending money to queen Margaret, when one witness alone, who had been examined on the rack, was produced against him[b]. From imitation of the practice of the civil law, however, this abuse seems to have become, in one particular class of cases, habitual and allowed. Barrington, in his remarks on the statute of the 27th of Henry VIII. respecting piracy, notices this parenthesis in the preamble concerning offenders' confessing ("which they will never do without torture or pains,") and adds, "the practice of torturing criminals is not spoken of with any great abhorrence by the legislature; nay, seems to be recited as allowed to have been practised in this country in all offences tried before the admiral[c]." Religious bigotry was the detestable motive for extending this mode of inquisition to spiritual causes. Anne Ascough, who was burned for heresy in the reign of Henry VIII., was racked repeatedly *after her condemnation* for the purpose of extracting evidence against some court ladies of the same opinions; the successive chancellors Rich and Wriothesly were the immediate directors, if not the actual perpetrators, of these barbarities,

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[a] Blackstone's *Commentaries*, vol. iv. p. 326.

[b] Fuller's *Worthies*, p. 317.

[c] *Remarks on Ancient Statutes.*

and

and similar charges have been brought against sir Thomas More, but solemnly denied by him.

After the death of Henry, little is heard of the rack till the prosecutions of catholics for treasonable conspiracies against the life of queen Elizabeth, after her excommunication by the pope, and during the detention of the queen of Scots in the country. These unhappy persons were subjected not only to the rack, but to various other species of torment; and not alone by the authority of commissioners specifically appointed to examine into treasons, but often at the mere pleasure of members of the high-commission, and sometimes even, it should seem, at the will of professed informers and recusant-hunters. The administration claimed in a peculiar manner these horrors for its own by a pamphlet written under the eye of Burleigh, and entitled "A declaration of the favorable dealings of her majesty's commissioners," &c. the drift of which is, to exculpate these persons from having applied torture "for matter of religion," which was only done on suspicion of treason; and to assert that *in other countries* it was more sharply inflicted on lighter occasions.

The ministers however found themselves unable to stifle the cry which had arisen against these practices; and the queen publicly ordered them to be discontinued; but there is good reason to believe that they were still resorted to in private by the high-commission,—a court which was bound by none of the rules of common law. "On the trial of the persons concerned in the Babington conspiracy,

sir Christopher Hatton, one of the commissioners, asks Savage, one of the prisoners who had made a confession, whether it had been extorted from him by the rack. 'I must ask thee one question, Was not all this willingly confessed by thyself without menacing, without torture, and without offer of any torture?'" (Howell's *State trials*, vol. i. p. 1131.)

"Lord Coke too, upon the trial of the earls of Essex and Southampton, says, 'Though I cannot speak without reverent commendations of her majesty's most honorable justice, yet I think her overmuch clemency to some turneth to overmuch cruelty for herself; for, though the rebellious attempts were so exceedingly heinous, yet, out of her princely mercy, no man was racked, tortured, or pressed to speak any thing further than of their own accord and willing minds for discharge of their consciences.'" (Howell's *State trials*, vol. i. pp. 1338, 1348.)

"Lord Coke, in another place, enumerates among the privileges of peers, that they are not to be tortured. 'For the honor and reverence which the law gives to nobility, their bodies are not subject to torture *in causâ criminis læsæ majestatis*.' (Lady Shrewsbury's case, *Twelve reports*.) In the third *Institute*, however, fol. 35, the same learned writer declares, that all torture of accused persons is contrary to law. In the second *Institute*, fol. 48, he says, that *Magna Charta* prohibits torture by the words, '*Nullus liber homo aliquo modo destruatur*[a].'"

[a] MS. collections as before.

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It was little likely that James should entertain scruples on this subject which had been felt neither by his predecessor nor by the best informed of her law-officers; the custom of his own country had rendered him familiar with the practice, and we have seen on many occasions how small was his deference or esteem for the law of England. In the proceedings upon the powder-plot torture was employed, as has been shown, against several of the inferior agents, and Coke dared to cite it as an example of the king's lenity that more illegal barbarities were not perpetrated by his command.

There is no intimation of the actual employment of the rack in the investigation of Overbury's murder; but it is highly probable that threatenings of it at least must have been employed by Coke, who was extremely zealous in the cause, to extort those extraordinary confessions against themselves which were obtained from Elways and the rest.

Raleigh publicly affirmed on his trial that Keymis had been threatened with the torture; and it appears that both on this occasion and in the endeavours afterwards used to procure evidence of the misconduct of this great man in his Guiana expedition, very severe and oppressive modes of extracting evidence, if not actual torture, were recurred to. At this period not only indifferent witnesses, but accomplices and parties actually under accusation, in all cases of treason,—and apparently in any others which were considered as of great magnitude or enormity,—were subjected to repeated interroga-

tories of the closest kind, administered sometimes by magistrates, sometimes by special commissioners, by judges or privy-councillors, and on several occasions by king James in person. Torture itself could not be more contrary to that sacred maxim of the English law, that no man is bound to accuse himself. From this abuse sprung another of perhaps even greater magnitude: the written depositions so obtained were produced in court, according to the practice of countries which follow the civil law, and the reading of them was held sufficient evidence without the production of the living witnesses even for the purpose of verifying their own depositions, which were not always even signed by themselves. It was on the iniquitous trial of Raleigh,—the first for high treason which took place under the reign of James,—that this glaring violation of the rules of English justice first obtrudes itself on our notice. "You try me by the Spanish inquisition," exclaimed the indignant prisoner, "if you try me by examinations and not by witnesses!" But Coke and the other sages of the law ruled it, that this mode was as legal as the other. It was the more unjust to deny the prisoner the benefit of cross-examining the witnesses against him, because our law did not at this time permit a person put upon his trial by indictment at the king's suit, to call witnesses in his defence; or, which amounted practically to the same thing, it did not authorise the court to administer an oath to persons so called: the admissions and explanations, therefore, which he was able to elicit from the wit-

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nesses against him, or the self-contradictions in which he contrived to involve them, formed, with his own justificatory statements, the prisoner's only mode of defence.

It will perhaps surprise the general reader to learn, that it was not till so late a period as the reign of Anne, that an act empowering courts to administer an oath to witnesses for the prisoner silently supplied this capital defect in our jurisprudence; it may surprise him still more to learn on what plea James, at an early period of his reign, had rejected the petition of the house of commons, that he would cause a law to be made to the same effect. Referring to the offer of an addition to his revenue which they had made conditional upon his complying with their wishes in this point, and in the abolition of wardship and other feudal grievances, he said, that no sum of money could induce him to yield in this matter, which, with him, was one of conscience; for if men were daily found to perjure themselves for a horse or an ox, how much more readily would they do so to save the life of a friend! It is not perhaps very improbable in itself that a mind like James's might take this perverse and partial view of such a question; but, when considered in connexion with his attachment to the forms of the civil law, and his evident efforts to take the fate of prisoners as much as possible out of the hands of juries and place it in those of magistrates and judges;—the real motive of his refusal becomes, to say the least, suspicious.

In the year 1614, one Peacham, a clergyman, was

was apprehended on a charge of high treason on no other ground than the sentiments contained in a sermon found in his writing-desk. As the sermon had neither been preached nor printed, and no corroborating evidence against the author appeared, it was determined that he should be racked to make him accuse himself; an order in council is extant to this effect, signed, among others, by Coke and by Bacon; and the examination of this unhappy victim *before the torture, under the torture, between the torture and after the torture,* was found and has been published among the papers of Bacon:—an indelible stain upon his memory!

There was another class of criminals, regarded by James himself with no less horror than suspected traitors, against whom, not indeed the rack, but a variety of torments equally barbarous, were employed without remorse, and apparently without the slightest consideration of the legality or illegality of such inflictions. These were persons suspected of witchcraft and magic. A few particulars respecting some of the most noted trials for these offences will reflect still stronger light on the practices sanctioned by a prince ambitious of the character of the English Justinian.

Sorcery and witchcraft had been crimes recognised by the English law from the earliest times, and they had been punishable by burning till they were declared felony without benefit of clergy by a statute of 33rd Henry VIII.; yet it does not appear that witch-finding had been a very favorite exercise of

of superstition or malignity in this country till the accession of James I. The dialogue on Demonology had early exhibited the strength of this prince's faith on these mysterious topics; and we have seen that one of the first of his English statutes was an extension of the penalties of former acts against these offences; which in his native country he had caused or permitted to be prosecuted by modes at which humanity shudders.

"In Scotland a greater refinement of cruelty in inflicting torture was adopted than I have ever read of in any other country. The innocent relations of a suspected criminal were tortured in his presence to wring from him, by the sight of their sufferings, what no corporal pain inflicted upon himself could extort from him. Thus in 1596, a woman being accused of witchcraft, her husband, her son and her daughter, a child of seven years old, were all tortured in her presence to make her confess. (See Arnot's *Crim. trials*, p. 368.) Whether this was done in any other instance than that of witchcraft, the terror of which seems to have wholly extinguished men's natural feelings, together with their reason, I do not know[a]."

During the two-and-twenty years of James's English reign, it is computed that not less than a hundred persons fell victims to the prevalence of a superstition fostered by the royal example; but the most celebrated proceedings of the kind took place at

[a] MS. collections.

Lancaster

Lancaster in the year 1612, where nineteen unfortunate persons were indicted for witchcraft, ten of whom were convicted and executed. Of the punishment of persons for magical practices, Selden in his "Table talk" offers the following vindication: "The law against witches does not prove there be any; but it punishes the malice of those people that use such means to take away men's lives: if one should profess that by turning his hat thrice and crying *buz* he could take away a man's life, though in truth he could do no such thing, yet this were a just law made by the state; that whosoever should turn his hat thrice and cry *buz*, with an intention to take away a man's life, shall be put to death." This appears an opinion unworthy of its author; it surely does not belong to human laws to take cognisance of acts incapable of causing any real mischief, however malicious the intention with which they may be performed. In this case, too, experience has shown, that the disbelief of the legislature, marked by the abolition of all laws against the pretended crime, was the true remedy for such practices. The sentiment is quoted here only to introduce the remark, that several of these miserable creatures, oppressed by age, indigence, and the ill opinion of their neighbours, seem in fact to have cherished a rancorous envy and hatred against mankind; and to have practised their mystical ceremonies either with the intention and expectation of causing death or other injury to the objects of their resentment, or for the purpose of extorting gifts from the credulous

lous as the price of their forbearance. It appeared from the statement of a witness on the Lancaster trials, that he had covenanted with one of the suspected witches for a yearly allowance of meal, on condition that she should not hurt him.

In a great majority of cases, however, these charges seem to have arisen solely from the malice, the superstitious terrors, or the mercenary views, of the informers; as, on the other hand, the confessions of the poor creatures themselves were the result of terror, of torture, of ignorance and dotage, or, in some instances, of heroic affection. One old woman tried at Lancaster appears to have accused herself from a vain hope of saving the life of her daughter, who was charged with participation in the crime. The judges, partly, it may be suspected, with a view of flattering the prejudices of the king, exhibited the most disgraceful eagerness for the conviction of the prisoners; and one of them was guilty of the remark, "that such apparent proof was not to be expected against them as others; theirs were deeds of darkness." In fact, the evidence here allowed to decide in cases of life and death, was such as ought not to have been listened to on the most trifling charge ever obtruded upon the notice of a court of justice. That the witches had held a sabbath at a lone house in Pendle forest, where they had decided on the burning of Lancaster castle for the rescue of some of their associates, on the destruction of one of their enemies, and on various other horrible acts, and from which the whole party retired in the shape of

of *colts riding on horseback*,—was believed on the unsupported testimony of a boy, who thus took away the lives of his grandmother and others of his near relations. The principal witnesses against one of the witches were three of her own children, one of them a girl of nine years old, and another a youth who was brought into court in a state of extreme weakness from the consequences of a long and most severe imprisonment, and probably of further cruelties. This youth was himself convicted afterwards on the testimony of his little sister, and suffered death.

To prove one of the prisoners a witch, evidence was admitted of its having been the opinion of a man not in court that she had turned his beer sour; —and, against another, that her brother-in-law, an old gentleman then dead, used often to ride a mile or two about to avoid passing her door. To prove the charge of murder by witchcraft, it was thought sufficient to attest, that the deceased on his death-bed had declared his belief that he owed his death to the prisoner; without specifying any means of injury employed by her, except perhaps some threat or malediction. Great stress, too, was in some cases laid on the bleeding of the corpse at the approach of the sorceress,—a fact which persons were readily found to attest on oath[a].

Bacon, after his disgrace, addressed to king James a proposal for occupying himself in preparing a di-

[a] See the trials of the Lancashire witches in the Somers Tracts, vol. ii. 2nd edition.

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gest of the laws, with suggestions of various alterations and amendments. This great man was doubtless capable of taking a philosopher's view of the subject of legislation; but, considering both the narrow prejudices and arbitrary principles of the king, and the habitual subserviency of the chancellor, it cannot be matter of regret that this project, owing perhaps to the death of James soon after, was never carried into effect.

CHAPTER

CHAPTER XX.

1620, 1621.

Affairs of Bohemia.—Negotiations of James.—Embassies of sir H. Wotton.—His verses on the queen of Bohemia.—Levies for the war in Germany.—Earl of Oxford.—James attempts to impose a benevolence.—Negotiations of lord Herbert of Chirbury.—Behaviour of a French embassy.—Preparations for a parliament.—Letter of Bacon.—Proclamation.—Prohibition of talking of state affairs.—King's speech.—Prosperous state of Bacon.—His private life,—studies,—powers of conversation.—The commons accuse him to the lords.—Easter recess.—Alarm of Villiers and the monopolists.—Dissolution of parliament advised.—Williams dissuades it.—Bacon's submission to the lords.—He is deprived of the seals.—Sentence upon him.—Remarks on his case.—Treachery of the king and Villiers towards him.—His after-life and death.

THE affairs of the king of Bohemia now became an object of interest which absorbed all others. The people loudly cried out for war in support of the protestant cause and of a family so nearly allied to the blood royal of England;—James remained firmly decided on the preservation of peace; and his council was divided. Gondomar, by his cajolery and his bribes, maintained the king, the favorite and the greater number of the courtiers and officers of state, especially those catholicly inclined, in the interests of the house of Austria; the archbishop, that

that spirited nobleman William earl of Pembroke, the duke of Lenox and the marquis of Hamilton inclined to the opposite party.

In the course of the summer, the emperor prochaimed the ban of the empire against the palatine, and the duke of Bavaria and the other catholic princes of Germany prepared to execute the sentence, while the princes of the protestant league took arms to resist it. Prince Maurice put himself in motion on the same part; while Spinola raised a formidable force in Flanders, the object of which was not declared. These measures roused king James to extraordinary activity,—in negotiation. His majesty had already two ambassadors in Bohemia; sir Richard Weston a secret catholic, afterwards lord-treasurer and earl of Portland, and sir Edward Conway secretary of state, a mere soldier, thrust into civil offices purely by the favor of Buckingham: in addition to these negotiators he now dispatched sir Thomas Edmonds for Brussels, to obtain an explanation from the archduke Albert of the object of Spinola's levies. The archduke referred the ambassador to Spinola himself, who acted, he said, by directions from the king of Spain with which he was unacquainted. Spinola, on his part, affirmed that his orders were still sealed; but added, that if Edmonds would accompany him in his march to Coblentz, he should there be able to give him satisfaction; a proposal which the ambassador found himself obliged to accept, probably not without a full perception of the mockery put upon himself

himself and his master. His negotiations with several of the secondary powers of Germany were intrusted by James to sir Henry Wotton.

The advancement of this accomplished diplomatist had by no means corresponded with the hopes which the professions of favor and affection made him by James on his first arrival in England were fitted to inspire. On the contrary, he had passed some years unemployed in a state of disgrace from which he recovered with difficulty, and the reported cause of which is sufficiently remarkable to deserve to be recounted. When sir Henry first went in a diplomatic capacity to Italy, in passing through the city of Augsburgh, he fell into company with some men of letters known to him on his former travels, by one of whom he was requested, after the German manner, to write a sentence in his *album*. Wotton, somewhat incautiously, transcribed into the book the following pleasant definition of an ambassador: "An ambassador is an honest man sent abroad to lie for the good of his country." Eight years afterwards, this unfortunate sentence was by some chance discovered by that malignant and scurrilous man of letters Jasper Scioppius; who was a vehement partisan of the church of Rome, and at that time engaged in writing a book against king James. He eagerly seized upon it and inserted it in his work as a proof of a laxity of morals among the protestants in general, and in the king of Great Britain in particular, equal to that with which the jesuits were reproached under the name of equivocation.

cation. The circumstance bitterly mortified the king, who attached extreme importance to every thing printed either by himself or his antagonists; and notwithstanding a well-written apology by Wotton, which, as his majesty was pleased to observe, "might have covered a greater fault," it was five years before he thought proper again to employ him in his affairs. At length however this trespass was forgotten; he was delegated to the United Provinces in 1615, and then to the republic of Venice, whence he returned in 1618, hoping to succeed Winwood as secretary; but it rather pleased his majesty to reappoint him to Venice, and on his way he was commissioned to express to several princes and states the sentiments of his royal master on the affairs of the palatine, and to sound their dispositions in return. Wotton's own account of his mission addressed to the king, affords, with other interesting matter, several curious intimations of the degree of esteem in which the conciliatory efforts of this sovereign were held by his German friends and allies; and a few extracts will not here be misplaced.

In a dispatch dated from Augsburgh in August 1620, Wotton states that he has already "been with five several princes and communities, the duke of Lorain, the archduke Leopoldus, the town of Strasburgh, the duke of Wirtemberg and the town of Ulme:—among whom he spent in all twelve days, and the rest of the time in incessant journeys. To the duke of Lorain he had no credentials, yet he thought it proper to visit him on his way, and "to draw civilly from

from him" as much information as he could; "being a prince cumbered....with the German troubles on the one side and the French on the other, and therefore bound to study the passages of both." "I possessed him," he adds, "with two main heads of mine instructions; First, with your majesty's innocency in the Bohemian business at the beginning: next, with your impartiality therein even to this hour; both which did render you in this cause the fittest mediator of the world. And so I shut up all with this; That God had given your majesty two eminent blessings; the one peace at home, the other, which was surely the greater and the rarer, a soul desirous of the like abroad; which you found yourself tied in the conscience of a christian king to promote by all possible means; and therefore, though you had before, in the beginning of the Bohemian motions, sent your good meaning by a solemn ambassage to the emperor, in the person of a dear and zealous servant of great quality, even before any other king had entered into it, which, through the crudity of the matter, as then took not the wished effect; yet now, hoping that time itself and the experience of vexation had mollified the affections and better digested the difficulties, you had not refused, by several ambassages to both sides and to all the intervenient princes and states, to attempt again this high and christian work..... The duke's answer was more tender than free; lamenting much the present condition of things; commending much your majesty's good mind; proclaiming

claiming his own; remitting the whole to those great and wise kings that had it in hand; and concluding,—with a voice methought lower than before, as if he had doubted to be overheard, though in his private chamber,—that the princes of the Union would tell me what his affections were in the cause: for which I gave him thanks, commending in all events to his continual memory, that your majesty's daughter, my gracious lady, and her descendants, were of the blood of Lorain. Yea, said he, and the elector likewise. This was all that passed from him of any moment."

The jesuits had made themselves peculiarly busy in these contests; their influence over all the princes of the house of Austria was firmly established: it was by founding a college of their order in Prague, contrary to the privileges of that city, that the emperor Matthias, the predecessor of Ferdinand, had most alarmed and exasperated his Bohemian subjects; and when they rebelled, it had been one of the first acts of the citizens of Prague to level that hated edifice with the ground. In other countries the intolerant zeal of this order against the protestants had been equally conspicuous. "Before I leave Lorain," writes Wotton, "I cannot but advertise your majesty that at Faltsbourg, a town in the confines of that province towards Elsatia, inhabited and built by many good men of the religion, the ministers came unto me bewailing the case of the inhabitants, who for some thirty years had possessed that place quietly, till of late, by instigation of the

jesuits at Nanci, the duke had given them warning to be gone within the term of two years, whereof some good part was expired. Their request unto me was, that by your majesty's gracious mediation, they might be received into a place within the Palatine jurisdiction, near their present seat, which they offered to enlarge and fortify at their own charge, upon the grant of reasonable immunities; which I have assumed to treat by letter with your majesty's son-in-law, needing no other commission from your majesty in things of this nature than your own goodness.

"The archduke Leopold I was forced to seek three days journey from his ordinary seat; where, being at his private sports of the field, and no fit things about him, he desired me to turn back half a day's journey to Mulzham the notorious nest of jesuits, commanding the governors of his towns in the mean time to use me with all due respects; among whom he made choice of an Italian, by name Ascanio Albertini,—a man of singular confidence with him, and surely of very fair conditions,—to sound me, though in a merry fashion and half-laughing, as there was good cause, how I would taste it if he should receive me in the jesuits' college; for at Mulzham those were his hosts, being destitute of other habitation. I answered him, as merrily as it was propounded, that I knew the jesuits had every where the best rooms,—more splendent than true, fitter to lodge princes than monks; and that their habitations were always better than themselves. Moreover,

Moreover, that for mine own part, though I was not much afraid of their infection, and that St. Paul did not refuse to be carried in a ship which was consecrated to false gods; yet because on our side they were generally, and no doubt justly, reputed the causes of all the troubles of the christian world, I doubted it would be a scandalous reception; and that besides, those artificers would go near to make appear on my part a kind of silent approbation of their order and course. This was my answer, which being faithfully transported by the Italian, the archduke made choice of another mean house in the town, where he received me truly in a noble sweet fashion....To him, besides that which I had said to the duke of Lorain, I added two things: The first, that not only your majesty was clear of all foreknowledge or counsel in the business of Bohemia, but likewise your son-in-law himself of any precedent practice therein till it was laid upon him, as you knew by his own high affirmations, and most infallible testimonies: The second, that though your majesty to this hour did continue as equal between both parties as the equinoctial between the poles, yet about the time of my departure you were much moved, and the whole land likewise, with a voice I know not how spread abroad, that there were great preparations to invade the Nether Palatinate; which if it did fall out, your majesty should have just reason to think your moderation unthankfully requited; the said Palatinate being the patrimonial lands of your descendants, and no way con-

nected with the Bohemian business. Whereupon I persuaded him fairly, in your majesty's name, being a personage of such authority in the present actions, to keep them from any such precipitate and impertinent rupture as might preclude all mediation of accord.....

"His answer to all the points, which he had very orderly laid up, was this: Of your majesty's own clearness he professed much assurance; of your son-in-law's as much doubt; charging him both with close practice with the Bohemians at the time of the emperor's election at Frankfort, and more foully with a new practice, either by himself or others, to introduce the Turk into Hungary. Of any design upon the Lower Palatinate he utterly disavowed all knowledge on his part; yet would not deny but the marquis Spinola might perchance have some such aim; and if things went on as they do, men would no doubt assail their enemies wheresoever they should find them. In such ambiguous clouds as these he wrapped up this point. Of the emperor's inclination to an agreement he bad me be very assured, but never without restitution of the usurped kingdom, which was not a loss of easy concoction, especially being taken from him by the count palatine his subject, as he often called him; and once added, that he thought he would not deny it himself.....

"I had almost omitted a point touched by him, that he had knowledge of some English levies coming toward the Palatinate: about which I cleared him

him with confessing that your majesty's people, and some of your principal nobility, had taken alarm upon a voice of an invasion there, and meant voluntarily to sacrifice themselves in that action; but without any concurrence of your majesty thereunto, either by money or command. To which he replieth, that in truth he had so heard, and made no question of your royal integrity. In the afternoon of this day, he took me abroad with him in his coach, to show me some of his nearer towns and fortifications, and there descended into many familiarities, and amongst others, *to show us how to make frogs leap at their own skins:* a strange purchase, methought, at a time when kingdoms are in question! But it may be it was an art to cover his weightier meditations."

The next morning the archduke sent signor Ascanio to Wotton to inquire whether he had in his instructions "any particular form of accord to project unto the emperor;" and at a second audience he repeated in person the same inquiry; but so little was James's speculative love of peace seconded by any practical skill in the usual and obvious means of bringing it about, by the suggestion of mutual concessions and compensations, that the ambassador found himself reduced to the following vague and unprofitable answer: "That your majesty thought it first necessary on both sides to dispose the affections, and then, by reciprocal intelligence between your servants from Vienna and Prague, to collect some measure of agreement; for otherwise, if we should

should find both parties fixed in extreme resolutions, it were a folly to spend any further the honor of our master." The archduke, who probably thought that it would be a still greater folly on his own side to treat further with so tardy and inefficient a mediator when Spinola was already in full march to attack the Palatinate, the duke of Bavaria to join the emperor in Bohemia, and the elector of Saxony to fall upon Lusatia, contented himself with assuring the ambassador that he would find the emperor "persuasible enough if his reputation might be saved: and, for his own part, he thought that the count palatine, being the inferior, might yield without prejudice of his." He addressed letters of the same tenor to the king of Great Britain, and "at my leave-taking," adds the ambassador, "he spake with much reverence of your majesty, with much praise of your christian mind, and with much thankfulness of the honor you had done him."

"Of Strasburg and Ulm," proceeds Wotton, "I may speak conjunctively, being of one nature, both free and both jealous of their freedom, which makes them fortify apace. Towards me they likewise joined in one point of good respect, in not suffering me to come to their senate-house, but in treating with me where I was lodged by the deputed persons, out of reverence, as they professed, due to your majesty, who had done them so much honor with your letters and with communication of your ends by your humble servant. They both commended your majesty's christian intentions, and professed

professed themselves hitherto in the same neutrality; but because it were uncivil for them to contribute their counsels where such kings did employ their wisdom and authority, they would only contribute their prayers; with the like temperate conceits as these."....

By the duke of Wirtemberg the ambassador was received "very nobly, and kindly feasted at his table;" but here his mediations were as needless as they had been useless in other places. The duke spoke with great professions of esteem of the king, and no less of his son-in-law, to whom he freely gave the title of king of Bohemia, concluding with frequent vows that he would defend the Palatinate with all his power; "being tied thereunto not only by the bond of confederacy, but likewise by reason of state, not to suffer a stranger to neighbour him[a]."

From Augsburg Wotton was to repair to the duke of Bavaria, then in arms about Lintz in Upper Austria; and thence to the emperor at Vienna; towards whom he was charged with a string of propositions very idle in the advanced state of the contest, and he was still treating about them when the defeat of the prince of Anhalt in the great battle of Prague, in the month of November, completed the ruin of the king of Bohemia and rendered all mediation obviously hopeless. Wotton immediately quitted Vienna and pursued his course to Venice.

[a] *Reliquiæ Wottonianæ*, p. 383 et seq.

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It is related, that at his audience of leave, the emperor, after some handsome compliments, presented the ambassador with a valuable jewel. The gift was accepted by Wotton with the usual expressions of thanks; but the next morning he bestowed it on an Italian lady in whose house he was lodged. This behaviour was regarded by the emperor as an affront; but sir Henry Wotton, on being informed of it, explained, "that though he received it with thankfulness, yet he found in himself an indisposition to be the better for any gift that came from an enemy to his royal mistress the queen of Bohemia[a]."

In what manner Wotton was peculiarly attached to the service of this queen does not appear; but several letters addressed to her are published among his Remains, expressive of a strong interest in her concerns. One of them is thus inscribed:—"Most resplendent queen, even in the darkness of fortune!" He also ventured to make public the following glowing lines "On his mistress the queen of Bohemia:"

"You meaner beauties of the night
That poorly satisfy our eyes
More by your number than your light,
You common people of the skies,
What are you when the sun shall rise?

"You curious chanters of the wood
That warble forth dame Nature's lays,
Thinking your voices understood
By your weak accents, what's your praise
When Philomel her voice shall raise?

[a] Walton's *Lives*, vol. ii. p. 237, Zouch's edit.

"You

"You violets that first appear,
By your pure purple mantles known,
Like the proud virgins of the year,
As if the spring were all your own,
What are you when the rose is blown?

"So when my mistress shall be seen,
In form, and beauty of her mind,
By virtue first, then choice, a queen,
Tell me if she were not design'd
Th' eclipse and glory of her kind."

While the charms of this royal lady were capable of inspiring her servants with verse like this, it is no wonder that swords were ready to "leap from their scabbards" to espouse her quarrel. The whole chivalry of the English court was on fire to support the claims of her husband and to avenge her sufferings. Her father alone remained unmoved: he peremptorily refused to depart from the neutrality of which he had made such earnest profession; and though no law at that time prohibited English subjects from offering their military services to any foreign power, at their pleasure, it was long before he could be drawn to sanction by a reluctant consent the levies referred to in the conference between the archduke and Wotton.

The amount of these succours was restricted by the king to the insignificant number of 2,200 infantry; but they were all picked men and officered by the flower of the nobility and gentry; men who were impelled to take arms not alone by impatience of the inglorious repose of king James's court,

court, nor even by the chivalrous feelings which a distressed queen and beauty was fitted to inspire, but by the higher motive of testifying in a foreign quarrel their attachment to the noble cause of reformed religion and civil liberty;—a cause which they regarded as basely betrayed at home. Sir Horace Vere, well known as a leader of the English auxiliaries in the Dutch war of independence, at this period the first military character in the country, and closely connected with the puritanical party, was the general. Under him two regiments were commanded, and in great part paid and equipped, by the young earls of Essex and of Oxford. Essex was well pleased to lose amid the clash of arms the memory of his domestic injuries, and to find an honorable occasion of absenting himself from the court of a prince who suspected and hated because he was conscious of having injured him. His talent for the military profession was respectable, though not brilliant, and in this campaign he laid the foundation of that experience which afterwards was his principal title to the supreme command in the momentous conflict where Englishman was arrayed against Englishman.

Henry earl of Oxford reflected honor, by his free and gallant spirit, on as long a line of noble ancestors as any English peer could boast. He was now in his eight-and-twentieth year, and had passed some time in foreign travel. Sir Henry Wotton thus mentions him in a letter to sir Thomas Lake, dated Venice February 1617:—"My lord of Oxford having at

at Florence heard of the imprisonment of Mr. Henry Bertie, his near kinsman, by the Inquisition at Ancona, went the next day post to Rome, after he had first procured the great duke's palace there for his own security, and letters of favor which were to follow him. Since which time Mr. Bertie was removed, perchance upon his intercession, and as safe for himself as it is nobly done[a]."

The same ambassador writes from Venice to secretary Winwood in the June of the same year, thus:—"Now because it is likely that his majesty will be pressed to the assistance of this republic, my lord of Oxford intendeth to employ the intercession of his friends at home that he may have leave to contract with them here, and to transport unto them some volunteer troops; wherein, as I conceive it, his majesty shall but leave his subjects in their natural liberty, and yet much oblige the state unto him, without any charge of his own, or so much as any direct engagement of himself in the cause. My lord himself is grown a goodly gentleman, of great ability for his years both of body and judgement; and hath already taken a way to make both his affection and resolution well known to them here, by going in a very noble manner, both himself and his followers, to the siege of Gradisca, as the public voice leadeth him[b]."

It does not appear that James permitted any le-

[a] Sir E. Brydges' *Memoirs of the peers of England during the reign of James I.* p. 495.

[b] *Ibid.*, 496.

vies

vies for the Venetians to be made, but the earl continued abroad till the latter end of the year 1618.

The small body of English, on landing in Holland, found Spinola already at Aix-la-Chapelle on his march to attack the Palatinate: they were obliged to cross the Rhine below Wesel to avoid him; and but for the assistance of prince Maurice, who scoured the country before them with 2000 horse, it would scarcely have been practicable for them to join the army of the allies in safety. A few skirmishes served to exhibit their native valor, but a general action was equally avoided by Spinola and by Maurice: the allied troops were sent into winter quarters without performing any thing considerable, and the two English earls, leaving their men in garrison, hastened homeward to importune the king for reinforcements; the preservation of the hereditary dominions of the Palatine, not the recovery of the crown of Bohemia, being now the only object of the war.

James, equally averse to war by temper and by interest, clung fast to the opinion, infused into him by Gondomar, that the most effectual means of preserving or recovering the inheritance of his grandchildren would be to pursue the negotiation with Spain for the marriage of his son with the infanta; in compliment to which near and dear connexion, it was affirmed that the king her father would exert his influence with the emperor to prevail upon him to reinstate the Palatine and conclude a solid peace in Germany. He therefore appears to have firmly resolved

resolved in his own mind to permit no more volunteers to go upon this service, and on no account to make the situation of his son-in-law a ground of national hostilities: in the mean time he hoped to turn the zeal of his people to his own private advantage. With this view, he took occasion to profess that he would never tamely behold his children stripped of their patrimony, and that if his earnest mediations in their behalf should prove unavailing, war must ensue. In order therefore to enable him to assume a becoming attitude, he demanded of his subjects a general benevolence, which he attempted to levy, in the first instance, on the lord-mayor and other substantial citizens. But the project did not then succeed; besides the general aversion to this illegal taxation, a well-founded distrust of the application of the sums collected to their ostensible object, seems to have prevailed; and in the end James was convinced, to his mortification, that the assembling of a parliament was the only practicable means of supplying his now urgent necessities. In the mean time, he sought to acquire merit in the eyes of his people by offering his zealous mediation in behalf of the oppressed protestants of France.

The situation of these religionists was indeed deplorable. Mary of Medici, the queen-mother of France, unable to endure the insignificance to which she was reduced while the king's favorite Luynes disposed of every thing at his pleasure, had formed a cabal in which she contrived to engage most of the princes of the blood, and among others the

the dukes of Rohan and Soubize, chiefs of the party of the Reformed. The intrigue being speedily detected and baffled, the queen-mother and the princes hastened to make their peace with the king at the expense of the unhappy Calvinists, who were thus deprived of all their cautionary towns on the Loire and some in other parts. Filled with just alarm, they carried their complaints to the king of Great Britain, who immediately instructed his ambassador to intercede for them with Louis, and, should gentle means prove ineffectual, to employ menace. This ambassador,—a representative most unlike his principal,—was no other than the celebrated sir Edward Herbert of Chirbury, who had been resident at the French court since the year 1616, and had distinguished himself by the splendor of his establishment and the unyielding spirit with which he fought and won the battles of punctilio, in which the lives of all diplomatic characters were at this period consumed. He threw his whole ardent soul into the more serious business now committed to his management, and hastened to the royal camp at St. Jean d'Angely. Here he was treated by the insolent favorite Luynes with a degree of slight and rudeness not ill-adapted to the tame and inefficient character of the British sovereign, but utterly insupportable by the spirit of his ambassador. Herbert retorted, violent language ensued on both sides, and the contest terminated in a formal request from Louis XIII. for the ambassador's recall. James of course complied, and sent the earl of Carlisle in his place; who, on inquiring

inquiring into the circumstances of the quarrel, discovered that Luynes had misrepresented the conduct of Herbert, of which he apprised his master. "Hereupon sir Edward kneeled to the king, and humbly besought him, that since the business between Luynes and him was become public, that a trumpeter, if not a herald, on sir Edward's part, might be sent to Luynes, to tell him, that he had made a false relation to the king of the passages between them; and that sir Edward would demand reasons of him sword in hand on that point; but the king was not pleased to grant it[a]."

On the death of Luynes, which speedily followed Herbert was reappointed to the embassy; and soon after his final return in 1624 was gratified with the title of Baron Herbert of Chirbury. The French protestants, however, reaped no benefit from the inept attempts of king James to persuade to justice and moderation the politicians of the court of Louis XIII.

The king of France was desirous, notwithstanding, of maintaining the relations of peace and amity with his good brother of England, and since expensive and ostentatious embassies were so much to his taste, he determined to gratify him. Being the next year so near to England as Calais, he took the opportunity to dispatch thither, in the capacity of ambassador extraordinary, the marquis Cadenat, brother to his deceased favorite Luynes, attended

[a] Coke's *Detection*, p. 96.

by

by a train of fifty or sixty gentlemen and three hundred of inferior condition. The presumption and impertinence of these persons seems even to have exceeded that by which, according to the confession of Sully himself, French diplomatists usually rendered themselves and their country odious to all the nations of Europe.

The first act of Cadenat, of whose reception we have a full account from Finett, was to offend the dignity of the earl of Arundel, who was sent to meet and compliment him at his lodging at Gravesend, by "not meeting his lordship till he came to the stair-head of his chamber door, and at his parting accompanying him no further;" of which the earl showed his resentment by appointing a meeting *in the street* the next morning, previously to their embarking together on board the royal barges, and by quitting the ambassador at the bottom of the stairs of Somerset-house, appointed for his residence; telling him that there were gentlemen there who would show him his lodging. "His majesty," continues the narrator, "sensible more of the cause given by the ambassador, than of the measure returned by the earl of Arundel, stormed much at it," and extorted from Cadenat an apology in the form of a plea of indisposition when he received the first visit of the earl. After this, the marquis was conducted in great state to Westminster, and had a gracious audience of the king in the house of lords, which was adorned with rich hangings on the occasion. Two or three days afterwards he was invited

by

by the king to an entertainment, when he had the assurance to keep his majesty waiting for his dinner above an hour. His suite, in the mean time, were brought to the court of requests, where a table was spread for them; but when the duke of Lenox, who had conducted them thither, quitted them without seeing even the principal persons of their number seated, they began to think themselves slighted. To make the matter worse, the lord-chancellor, lord-treasurer and lord-privy-seal, entered the room in their robes of office, and without ceremony placed themselves all together on the right hand side of the table; on which the Frenchmen took their cloaks and, "with shows of much discontent," departed to their coaches. The master of the ceremonies and others followed and entreated them to return, but in vain; they one and all protested that they had dined at home, and drove off. Their principal cause of quarrel was, that "gentlemen of the long robe, as they, with a French scorn, termed those great officers of state," should have taken precedence of them; but one of them was also offended that he had not been invited to dine with the king; his father having, on a similar occasion, dined with queen Elizabeth. The whole story perhaps betrays a want of real cordiality between the two courts. At the end of a fortnight this captious and parading embassy, which imposed a needless charge of 200*l. per diem* on the treasury of James, departed,—to the great joy of all persons concerned[a].

[a] Finetti *Philoxenis*, p. 67 et seq.

Howel, the letter writer, has the following anecdote connected with this subject:—"There is a flaunting French ambassador come over lately, and I believe his errand is nought else but compliment. ....He had an audience two days since, where he with his train of ruffling, long-haired Monsieurs, carried himself in such a light garb, that after the audience the king asked my lord-keeper Bacon what he thought of the French ambassador; he answered, that he was a tall proper man. 'Aye,' his majesty replied, 'but what think you of his head-piece? Is he a proper man for the office of an ambassador?' 'Sir,' said Bacon, 'tall men are like houses of four or five stories, wherein commonly the uppermost room is worst furnished.'"

But matters of higher importance now occupied the attention of the king and his ministers.

It was at length determined that parliament should be summoned to assemble on January 30th 1621, and many consultations were held upon the means of rendering the meeting safe and profitable to the king. What these means were, may be partly collected from the following passage of a letter from the lord-chancellor to Buckingham:....."Yesterday I called unto us the two chief-justices and serjeant Crew about the parliament business. To call more judges I thought not good. It would be little to assistance, much to secrecy. The distribution of the business we made was into four parts.

"*First*, the perusing of the former grievance, and of things of the like nature which have comen since.

"*Secondly*,

"*Secondly*, the consideration of a proclamation with the clauses thereof, especially touching elections, which clauses nevertheless we are of opinion should be rather monitory than exclusive.

"*Thirdly*, the inclusive: that is to say, what persons were fit to be of the house, tending to make a sufficient and well composed house of the ablest men of the kingdom, fit to be advised with *circa ardua regni*, as the style of the writs goeth, according to the pure and true institution of a parliament; and of the means to place such persons without novelty or much observation. For this purpose we made some lists of names of the prime counsellors and principal statesmen and courtiers; of the gravest and wisest lawyers; of the most respected and best tempered knights and gentlemen of the country. And here, *obiter* we did not forget to consider who were the *boutfeus* of the last session, how many of them are dead, how many reduced, and how many remain, and what were fit to be done concerning them.

"*Fourthly*, the having ready of some commonwealth bills, that may add respect and acknowledgement of the king's care; not wooing bills, to make the king and his graces cheap; but good matter to set them on work, that an empty stomach do not feed upon humor.

"Of these four points, that which concerneth persons is not so fit to be communicated with the council-table, but to be kept within fewer hands. The other three may when they are ripe[a]."

[a] *Letters and Memoirs of sir F. Bacon.*

In the proclamation here spoken of, drawn by Bacon with his accustomed eloquence, much is said in praise of peace, and of the king's earnest desire at all times to maintain it: nevertheless, it is declared, that his majesty sees himself compelled to have recourse to warlike preparations for the recovery of the Palatinate to his son-in-law, in case negotiation should fail.

The causes of assembling the parliament are then thus stated:—"Although the making of war or peace be a secret of empire, and a thing properly belonging to our high prerogative royal and imperial power, yet nevertheless, in causes of that nature which we shall think fit not to reserve but to communicate, we shall ever think ourselves much assisted and strengthened by the faithful advice and general assent of our loving subjects. Moreover, no man is so ignorant as to expect that we should any ways be able (moneys being the great sinews of war) to enter into the list against so great potentates without some large and bountiful help of treasure from our people, as well towards the maintenance of the war, as towards the relief of our crown and estate. And this the rather, for that we have now, by the space of full ten years (a thing unheard of in our times) subsisted by our own means, without being chargeable to our people, otherwise than by some voluntary gifts of some particulars, which though in total amounted to no great matter, we thankfully acknowledge at their hands."

"Upon these considerations, and for that also in respect

respect of so long intermission of a parliament, the times may have introduced some things fit to be reformed, either by new laws or by the moderate desires of our loving subjects dutifully intimated unto us (wherein we shall ever be no less ready to give them all gracious satisfaction than their own hearts can desire)," the parliament is declared to be summoned.

A part of the original draught of this proclamation was omitted in the printing, because his majesty thought that it anticipated too much of what he had designed for the matter of his own speech to the house; but the document is not the less interesting. Little did its author anticipate, as he traced it, the results of this invitation to the parliament to inquire into abuses!

Previously to the actual opening of the session, Bacon became aware that the means used by the government to *pack* a house of commons had not proved entirely successful; and in one of his official letters to Buckingham, he communicated the following warning:...." If his majesty said well that when he knew the men and the elections he would guess at the success, the prognostics are not so good as I expected, occasioned by the late occurrents abroad, and the general licentious speaking of state matters, of which I wrote in my last." As a remedy against this license of the tongue, a proclamation was immediately issued prohibiting all persons, from the highest to the lowest, from speaking of state affairs, or discussing the conduct of any of the princes

princes his majesty's allies: an attempt at restraining the natural liberty of mankind, it may be added, which proved as unwise as it was tyrannical; since by betraying on the part of administration both fear, and something like a sense of guilt, it inspired opponents with courage as well as indignation.

Notwithstanding all unfavorable appearances, James and his ministers continued to flatter themselves that the sacrifice of a few oppressive monopolies would satisfy the spirit of reformation which they perceived to be abroad; and James prepared to mollify the temper of both houses by a speech in which he deigned to apologise in some degree for his misunderstandings with former parliaments. In the first, he said, he was guided by the counsellors of the late queen, and perhaps there had been some mistakes committed; in the second he was led by "a strange kind of beasts called undertakers," whose name he detested. At the same time, his majesty was careful to enlarge upon his own extraordinary merits towards his people, and to instruct the house in the sacred obligation under which it lay of supplying his necessities, since kings were before parliaments, and all their privileges derived from royal concessions.

Whatever apprehensions the chancellor might have entertained of the consequences of this meeting of parliament to the king's affairs in general, it is perfectly clear that he felt none for himself. It was in the house of commons that his matchless eloquence had been displayed in its fullest splendor;—

had

had gained its most signal triumphs;—he had often boasted to the king of the influence which he possessed there, and an attack upon his conduct from that quarter appears to have been the danger furthest from his thoughts.

This great man was now at the summit of official rank and dignity, political power and literary fame; and before the circumstances of his fall and ruin are related, it will be interesting to dwell awhile on the particulars of his felicity:—After occupying for some time the situation of lord-keeper, he had lately been invested with the dignity of lord-high-chancellor, and the titles of baron Verulam and viscount St. Albans had been added to his style:—honors, however, which have long since been swallowed up in the superior glory which surrounds the simple name of Francis Bacon.

He had published in the preceding year the second part of his great philosophical work the *Novum Organum*; and the homage of the learned greeted him from every quarter of lettered Europe.

His authority in the state and his acceptance with the prince were second only to those of Buckingham, and to this favorite he believed that he had rendered his services and his counsels nearly indispensable.

The deep feeling of reverence which he cherished for the memory of his excellent father did him honor, and it caused him to account it no trifling article in the estimate of his prosperity, that he had been enabled to become the possessor of York-house in the Strand, where sir Nicholas Bacon had resided as lord-

lord-keeper, and where he himself was born. It was here that early in the year 1620 he had celebrated with great state and magnificence his sixtieth birth-day; an occasion which was seized by Ben Jonson to address a few rugged but expressive lines of congratulation to—

> "England's high chancellor, the destin'd heir
> In his soft cradle to his father's chair,
> Whose even thread the fates spin round and full
> Out of their choicest and their whitest wool."

His seat of Gorhambury, also the abode of his father, and the scene of his youthful pleasures and studies, had been adorned by him with equal care and cost; the gardens, formed on the stately and elaborate plan which he has described in his essays, were the peculiar object of his attention and the chief solace of his leisure moments. It was here, reclined beneath "his own contemporary trees," that he passed his wisest and his happiest hours, in the solitary meditations of genius, in conference with a chosen few of the most inquiring spirits of the age, or in the pleasing task of suggesting subjects of speculation or experiment, or dictating portions of his works, to a band of young men of promising talents whom he maintained in his house for the purpose of serving him as assistants or amanuenses.

One of these followers was the afterwards celebrated Thomas Hobbes, the philosopher of Malmsbury, who was soon distinguished by his lord above the rest, for his quickness in seizing the scattered hints

hints and heads of topics which he threw out to him, and arranging and expanding them with a true perception of their scope and meaning. Hobbes, he would say, understood him; and he employed him in the office of translating into Latin a portion of his philosophical writings. Another portion was undertaken by Toby Matthew, son of the archbishop of York, with whom, notwithstanding his wandering life and the obloquy to which his conversion to the Romish faith and close connection with the king of Spain long exposed him, Bacon maintained the strictest intimacy apparently, which he enjoyed with any one after the death of his beloved brother Anthony. In one of his letters to Buckingham he calls Matthew his *other self*.

Among the learned friends of Bacon may also be enumerated the excellent bishop Andrews, lord Herbert of Chirbury, sir Henry Saville, sir Henry Wotton, and Selden, who addressed to him a "brief discourse" on the nature of the office of chancellor, and whose opinion he afterwards requested on the validity of the parliamentary sentence pronounced against him. Many other names both native and foreign might doubtless be added to the list, and in general it may be affirmed, that his acquaintance was eagerly sought by the eminent in every class, and by all whom an ingenuous love of excellence prompted to render homage to the greatest general philosopher, the first orator and the finest writer of his age.

High as must have been the expectations excited by his fame in all who approached him, none could have

have retired in disappointment from the presence of him who was gifted beyond all others with that best of accomplishments the art of conversation. To his peculiar talent of discoursing in every style and on every subject; of adapting himself to all with whom he conversed, and excelling them on their own topics, we possess the testimony of Osborn,—no incompetent judge,—in the following passage of that part of his "Advice to his son" where he speaks of the advantage of general knowledge to a gentleman:—

"My memory neither doth, nor, I believe, possible ever can, direct me to an example more splendid in this kind than lord Bacon, earl of St. Albans, who in all companies did appear a good proficient, if not a master, in those arts entertained for the subject of every one's discourse. So as I dare maintain, without the least affectation of flattery or hyperbole, that his most casual talk deserveth to be written: as I have been told that his first or foulest copies required no great labor to render them competent for the nicest judgements. A high perfection, attainable only by use, and treating with every man in his respective profession, and what he was most versed in! So as I have heard him entertain a country lord in the proper terms relating to hawks and dogs, and at another time outcant a London chirurgeon. Thus did he not only learn himself, but gratify such as taught him; who looked upon their callings as honored through his notice. Nor did an easy falling into argument,—not unjustly taken

taken for a blemish in the most,—appear less than an ornament in him; the ears of the hearers receiving more gratification than trouble; and so not less sorry when he came to conclude than displeased with any did interrupt him. Now, this general knowledge he had in all things, husbanded by his wit, and dignified by so majestical a carriage he was known to own, struck such an awful reverence in those he questioned, that they durst not conceal the most intrinsic part of their mysteries from him, for fear of appearing ignorant or saucy. All which rendered him no less necessary than admirable at the council-table, where in reference to impositions, monopolies, &c. the meanest manufactures were an usual argument: and, as I have heard, did in this baffle the earl of Middlesex, that was born and bred a citizen[a]."

Thus adorned with all the gifts of nature and of fortune, and surrounded by that reverence which his age, his station, his surpassing genius and the mild majesty of his demeanor impressed on all who approached him, it is perhaps not surprising that Bacon should have believed himself beyond the reach of accusation or censure;—that he should have flattered himself that one still small voice alone would ever dare to reproach him as the corrupt judge, the tool of lawless power, the base betrayer of the rights and liberties of his fellow-countrymen: but he was fatally deceived.

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[a] Osborn's *Advice*, part ii. c. 24.

The

The parliament assembled; it voted two whole subsidies to the king as a kind of propitiatory offering, and immediately proceeded upon grievances, of which monopolies were made the first head, and those arising out of abuses in the courts of justice the second. A committee was appointed on March 12 for this latter investigation; and sir Robert Philips the chairman soon after reported to the house that they had received information respecting a case of bribery which "touched the honor of so great a man, so endued with all parts both of nature and art, as that he would say no more of him, not being able to say enough." A second report was brought up two days after, containing further accusations of the same nature against the chancellor, and a debate ensued on the proceedings proper to be held on so momentous an affair.

Sir Edward Sackville, afterwards earl of Dorset,—an ingenious and accomplished man, known by his patronage of letters,—sir Heneage Finch recorder of London, and some others, spoke earnestly in defence of the chancellor; but at length it was carried, that heads of an accusation against him should be drawn up by sir Robert Philips, sir Edward Coke, sir Dudley Digges and Mr. Noy, and presented to the lords at a conference. What might be the secret feelings of Coke on performing this office towards the base rival who had insulted over himself when suffering under an unmerited disgrace, cannot be known; but it is said that his conduct was marked by an honorable forbearance.

The

The lords appear to have entertained the complaint of the commons with less hesitation than might in that age have been expected, considering the high place of the party accused, and his reputed favor with the king; they appointed a committee to investigate the charges, and as early as March 20 Buckingham presented a letter to the house from the chancellor, in which he only ventured to petition, that the house would "maintain him in its good opinion without prejudice till his cause was heard;" and that he might be allowed convenient time to make his defence, with the assistance of counsel and the privilege of excepting against and cross-examining the witnesses produced against him. A courteous and favorable answer was returned by the peers to these requests; expressing the satisfaction that they should feel if his lordship should clear his honor in these matters, but instructing him immediately to prepare for his just defence. In the mean time they proceeded diligently to the examination of witnesses, both in the house itself and by a select committee.

During these transactions, the festival of Easter was made a plea for the prorogation of parliament from March 27 to April 18; it is said that Buckingham had regard to the chancellor in this step, hoping that the cessation would mitigate the vehemence of resentment entertained against him in both houses: but such a result, it may be remarked, could scarcely be expected while unanswered charges rested upon their memories; and the favorite had reasons of nearer

nearer concern for desiring an interval of deliberation.

In the matter of monopolies none had been so guilty as the Villiers family, to whom every thing was granted by the influence of the marquis and the shameful facility of the king; and if the parliament should be suffered to proceed in its course, it seemed probable that a storm of national indignation would be raised against them in which the favorite himself might suffer shipwreck. The house of commons had already singled out three patents as abuses of the highest degree of enormity:—they were those for the licensing of inns, the licensing of hostries, and the manufacture of gold thread, in which two notorious characters of the names of Mompesson and Michel were the agents of Buckingham and his family. By virtue of the two first, the patentees were enabled to exact for their licenses whatever sums they pleased; and on the refusal of inn-keepers or publicans to comply with their arbitrary extortions, they fined or threw them into prison, at their discretion. The knaveries and oppressions practised under the authority of the third patent were manifold. The monopolists manufactured thread so scandalously debased with copper, that it was said to corrode the hands of the artificers and the flesh of those who wore it. This adulterated article they vended at an arbitrary and exorbitant price; and if they detected any persons in making or selling a better and cheaper article, they were empowered to fine and imprison such interlopers without

without law; whilst a clause in their patent protected themselves from all actions to which they would otherwise have been liable in consequence of these attacks upon the liberty and property of their fellow subjects, and of the right of search even in private houses which they assumed. "These gilt flies were the bolder," as a quaint writer expresses himself, "because sir Edward Villiers, half-brother to the lord marquis, was in their indenture of association, though not named in their patent[a]."

So monstrous a system of iniquity and oppression, existing solely for the benefit of a few rapacious and profligate projectors, could not, it was evident, stand a moment before the face of an English parliament. Both houses were equally zealous for the abolition of the patents and the condign punishment of the knaves who had made them the instruments of their iniquity; and the king himself, who, little aware perhaps of the extent of the promise, had engaged in his speech to the commons to amend the errors of his grants, was pledged not to obstruct the course of justice. Every day fresh petitions were presented to the commons, pointing out fresh sources of oppression and of illegal exaction, and loudly demanding redress. No one could now foresee where the demand for reformation would stop: James became uneasy and his favorite lost all peace of mind: One course alone remained for the protection of the monopolists and perhaps of higher delinquents;—to

[a] Hacket's *Life of Williams*, p. 49.

dissolve

dissolve the parliament. This plan readily suggested itself to the marquis, and was strenuously urged upon him and upon his master by the selfish and unprincipled crowd of courtiers and dependents, regardless alike of the safety of the king and the welfare of the country, and anxious only for the preservation of their own iniquitous gains. "If the parliament should sit a year, they said, what good could be expected from them but two or three subsidies? That it were less danger for the king to gather such a sum, or greater, by his prerogative, though it be out of the way, than to wait for the exhibition of a little money, which will cost dishonor, and the ruin of his most loyal and faithful servants[a]." This rash counsel we are told was listened to by Buckingham, and would probably have been carried into effect but for the interposition of dean Williams. He addressed a writing to Buckingham, strongly representing "that the parliament in all it had hitherto undertaken deserved praise as well for their dutiful demeanor to the king, as for their justice to the people." That the prerogative had been left untouched, and all petitions for redress of grievances impartially received; "which they must sift, or betray the trust of their country which sent them." That the king himself had encouraged them to the work; using these very words: "If I know my errors, I will reform them." "But your lordship," he added, "is jealous, if the parliament continue in

[a] *Life of Williams*, p. 49.

this

this vigor, of your own safety, or at least of your reputation, least your name should be used and be brought to the bandy. Follow this parliament in their undertakings, and you may prevent it: Swim with the tide, and you cannot be drowned. They will seek your favor, if you do not start from them, to help them to settle the public frame, as they are contriving it. Trust to me and your other servants that have some credit with the most active members to keep you clear from the strife of tongues. But if you assist to break up this parliament, being now in pursuit of justice, only to save some cormorants, who have devoured that which must be regorged, you will pluck up a sluice which will overwhelm yourself. The king will find it a great disservice before one year expire. The storm will gather, and burst out into a greater tempest in all insequent meetings.

...."Delay not one day before you give your brother sir Edward a commission for an embassage to some of the princes of Germany, or the North-lands, and dispatch him over the sea before he be missed. Those empty fellows sir Giles Mompesson and sir Francis Michel, let them be made victims to the public wrath....Nay, my sentence is, cast all monopolies and patents of griping projections into the dead sea after them. I have searched the signet office and have collected almost forty, which I have hung in one bracelet and are fit for revocation. Damn all these by one proclamation, that the world may see that the king, who is the pilot that sits at

the helm, is ready to play the pump, to eject such filth as grew noisome in the nostrils of his people. And your lordship must needs partake in the applause."....

The marquis was not slow in perceiving the advantages of a plan by which he was taught to make good his own retreat at the expense of his instruments and associates. He instantly carried Williams with him to the king, "whom they found accompanied in his chamber with the prince, and in serious discourse together upon the same perplexities." Williams's paper was read: "And whatsoever seemed contentious or doubtful to the king's piercing wit, the dean improved it to the greater liking by the solidity of his answers. Whereupon, the king resolved to keep close to every syllable of those directions. Out of this bud the dean's advancement very shortly spread out into a blown flower. For the king, upon this trial of his wisdom, either called him to him, or called for his judgement in writing, in all that he deliberated to act or permit in this session of parliament in his most private and closest consultations[a]."

The recess of parliament, whatever might have been the hopes or intentions of those who procured it, had only given time for the production of fresh matter against the chancellor. The instances of bribery and corruption with which he was charged, now amounted to eight-and-twenty: his excellent

[a] *Life of Williams*, p. 50 et seq.

judgement

judgement informed him that defence was unavailing, and would but incense his prosecutors and the king himself against him; and on April 24 the prince of Wales signified to the house that he was the bearer of a written submission from the chancellor, which was immediately read.

In this humiliating appeal, which is nevertheless a model of pathetic and insinuating eloquence, he begins by craving of their lordships "a benign interpretation: for words that come from wasted spirits and an oppressed mind, are more safe in being deposited in a noble construction, than in being circled with any reserved caution." Proceeding to the merits of his case, he says, "I have chosen one only justification out of the justification of Job. For after the clear submission and confession which I shall now make unto your lordships, I hope I may say and justify with Job in these words; 'I have not hid my sins as did Adam, nor concealed my faults in my bosom.' This is the only justification which I will use.

"It resteth therefore, that, without fig leaves, I do ingenuously confess and acknowledge, that having understood the particulars of the charge, not formally from the house, but enough to inform my conscience and my memory, I find matters sufficient and full both to move me to desert my defence and to move your lordships to condemn and censure me.

"Neither will I trouble your lordships by singling those particulars which I think might fall off.... Neither will I prompt your lordships to observe

upon the proofs, where they come not home, or the scruple touching the witnesses. Neither will I represent to your lordships how far a defence in divers things mought extenuate the offence in respect of the time and manner of the gift, or the like circumstances. But only leave these things to spring out of your own noble thoughts and observations of the evidence and examinations themselves, and charitably to wind about the particulars of the charge, here and there, as God shall put into your minds; and so submit myself wholly to your piety and grace."

Passing artfully from his own delinquencies to the circumstances of his judges, he represents; that the peers have a further extent of arbitrary power than other courts; and that if they be not "tied by ordinary courses of courts or precedents in points of strictness and severity, much more in points of mercy and mitigation." He pleads that "the questioning of men of eminent places hath the same terror, though not the same rigor, with the punishment." "But," he adds, "my case standeth not there; for my humble desire is, that his majesty would take the seal into his hands; which is a great downfal, and may serve, I hope, in itself, for an expiation of my faults."

After some further pleas of extenuation, craftily insinuated and mingled with appeals to the feelings of the peers, he ends with this petition: "That my penitent submission may be my sentence, and the loss of the seal my punishment; and that your lordships

ships will spare any further sentence, but recommend me to his majesty's grace and pardon for all that is past."

But the peers justly conceived, that a confession in which no particular offences were acknowledged; and which also was afterwards extenuated in the same submission, could not be received as an adequate satisfaction for crimes of so high a nature; and they sent to him the particulars of his accusation, requiring an explicit answer to each.

With this requisition the chancellor complied: and out of the eight-and-twenty articles of which the charge consisted, though he explained some and extenuated others, he acknowledged without exception the greater number, and gave a direct denial to none. The lords, after perusing this new confession, declared themselves satisfied of its ingenuousness, and they sent to him certain commissioners empowered to declare as much, and to demand whether it were his own hand that was subscribed to the same, and whether he would stand to it. His answer was in these words: "My lords, it is my act, my hand, my heart: I beseech your lordships to be merciful to a broken reed."

Their next proceeding was to send a deputation to the king, with the prince of Wales at its head, requesting him to sequester the great seal: to which his majesty assented, and four great officers were sent to the chancellor to demand it. They courteously told him, that they were loth to visit him on such an occasion, and wished it had been better.

"No,

"No, my lords," replied he, "the occasion is good:" and then, delivering them the great seal, he added, "It was the king's favor that gave me this, and it is my fault that hath taken it away. *Rex dedit, culpa abstulit.*"

The following day, on demand of the speaker of the lower house, the peers proceeded to pronounce their sentence in the absence of the delinquent, who pleaded sickness. It consisted of four articles: "That the lord viscount St. Alban, lord chancellor of England, shall undergo fine and ransom of 40,000*l.*: That he shall be imprisoned in the Tower during the king's pleasure: That he shall be for ever uncapable of any office, place, or employment, in the state or commonwealth: That he shall never sit in parliament, nor come within the verge of the court."

These proceedings are remarkable in many respects: during the whole course of them much deference and tenderness was exhibited towards their illustrious object by the members of both houses; yet in one point,—the disabling of him from ever sitting in parliament,—the sentence was more severe than any ever pronounced upon an impeachment; in all previous examples it had been the consequence of an attainder. Another memorable circumstance was, that two of the petitions preferred against the chancellor gave occasion to the first precedents on record of appeals received by the house of lords against the decisions of the high court of chancery; from which the king in his celebrated star-chamber discourse

discourse had expressly declared that there lay no appeal. This innovation was passed over by James in silence; but during the reign of his son a dispute was raised upon the point, and the jurisdiction of the peers in this matter was not established without a struggle.

The fine set upon the chancellor appears excessive; it was certainly more than he had the means of discharging; for prodigality, and a habit of weak indulgence to his servants and officers, not avarice, had been the means of exposing him to the temptation of illicit gain, and, notwithstanding the magnitude of his income as chancellor, he was overwhelmed with debt and scarcely a richer man than his father left him. But the lords felt the less repugnance to pronounce a somewhat harsh sentence, capable of strongly deterring future offenders, because, as some of them observed, they left him in the hands of a good and gracious master.

James had shed tears on the first intelligence of his chancellor's being accused: he speedily liberated him from the Tower; remitted his fine, and, in the end, absolved him from all the other parts of his sentence and granted him a very considerable pension; though his own distresses often interfered with the payments. These facts are undoubted; it also appears from the evidence of authentic letters which passed between Bacon and Buckingham, that the favorite continued to him after his fall a considerable appearance of friendship; that he obtained for him the promise of some pecuniary favors from the king,

king, and was the medium through which the monarch once availed himself of the counsels of his degraded chancellor in a matter of state.

But there was a hollowness in all these demonstrations; and there is great reason to regard Bacon as the victim of a secret combination between the king and his minion. Even the story told by Bushel, at that time his servant and afterwards a miner, quack and impostor,—that his lord was absolutely prohibited by the king from making his defence,—derives a confirmation from collateral testimony which renders it not unworthy of belief. The fact indeed of the chancellor's having accepted bribes in the instances charged by the house of commons, is too well substantiated by the details contained in the accusation, and in his own confession and submission, to permit us to regard him as an entirely innocent victim. But, had he not been restrained either by a positive command of his majesty, or at least by a knowledge of what must be the royal wish, he might undoubtedly have palliated his offence in a more effectual manner. Respecting many of the bribes, he might have shown, that they came in the shape of customary compliments which preceding chancellors had not scrupled to accept. He might have proved, that in a large proportion of the cases in which he had taken money for decrees in chancery, the parties had been particularly recommended to him by Buckingham, who had doubtless first received some gratuity for this exertion of his interest. To these circumstances, now established beyond

beyond contradiction by the published correspondence of Bacon and Buckingham, he evidently alludes in his memorial of access to the king in 1622. "Of my offences, far be it from me to say, *Dat veniam corvis, vexat censura columbas,* but I will say that I have good warrant for: 'They were not the greatest offenders in Israel on whom the wall of Shilo fell.'" Such topics of justification however would have ruined him for ever with the king, without securing his acquittal by the peers. There was a second head of accusation impending over him, which had already been alluded to in the house of commons, and might have afforded good ground for an impeachment or a *præmunire:* his conduct with respect to the passing of patents.

These instruments, so much abused in that age, were incapable of being carried into effect, unless the king's warrant for the grant desired was confirmed by the chancellor; and it was an important duty of this officer not to affix the great seal without a careful examination of the patent, and a reference of it back to the king in case it appeared to contain any thing contrary either to the interests of the sovereign or to the rights or welfare of the subject. It was under the sanction of Bacon, however, that the most odious and oppressive of the monopolies complained of had been erected; and this part of his conduct, the heaviest article certainly in the list of his public delinquencies, seems not to have been forgotten by the lords in passing judgement upon him for corruption. But in this part of his misconduct,

duct, likewise, Buckingham was the instigator, and he and his connections were the parties principally benefited. Had the cause come to a full hearing, the contempt justly due to the servile and dishonest compliances of Bacon would have been forgotten in the indignation inspired by the arrogant and overbearing iniquity of the favorite; nor could the king, in common decency, have given way to the punishment of the chancellor for his agency in this odious system of venality and oppression, without at the same time inflicting some mark of disgrace on Buckingham, who must have stood forth as the great cause and origin of all the grievances complained of. The king however was determined at all risks to preserve his favorite: this Bacon knew; and had he been endowed with that boldness which he himself, out of a sense doubtless of his own deficiencies, has pointed out as the first, second and third requisite for public business, he would probably have found means either to compel the king to resort to a dissolution of parliament, or to extort from him some effectual pledge for his own return to power after undergoing the sentence of the peers. But his constitutional timidity rendered him incapable in this instance of employing that "wisdom for a man's self" which, in theory, no man understood so well; he confessed his guilt, trusting to the faith of the faithless for his indemnification; and relying perhaps too much on the want which they would feel of his services; and he found too late that he was betrayed and ruined.

Another trust which deceived him was that which he

he placed in his own popularity. Nurtured from infancy in the servility of a court, Bacon seems never to have learned, or totally to have forgotten, that an attachment to liberty made any part of the English character; and in spite of all the wrestings of law and justice against the people and in favor of the usurpations of prerogative with which his conscience must have upbraided him in secret, he actually believed that he was revered as a patriot.

A letter written to the king between his first and second submission to the lords affords the following expression of his persuasions on this head:

"When I enter into myself, I find not the materials of such a tempest as is come upon me. I have been, as your majesty knoweth best, never author of any immoderate counsel, but always desired to have things carried *suavibus modis*. I have been no avaricious oppressor of the people; I have been no haughty, or intolerable, or hateful man, in my conversation or carriage; I have inherited no hatred from my father, but am a good patriot born. Whence should this be? For these are the things that use to raise dislikes abroad.

"For the house of commons, I began my credit there, and now it must be the place of the sepulture thereof; and yet, this parliament, upon the message touching religion, the old love revived, and they said I was the same man still, only honesty was turned into honor.

"For the upper house, even within these days, before these troubles, they seemed to take me into their

their arms, finding in me ingenuity, which they took to be the true straight line of nobleness, without any crooks or angles.

"And, for the briberies and gifts wherewith I am charged, when the book of hearts shall be opened, I hope I shall not be found to have the troubled fountain of a corrupt heart, in a depraved habit of taking rewards to pervert justice; howsoever I may be frail, and partake of the abuses of the times*.

"And therefore I am resolved, when I come to my answer, not to trick my innocency (as I writ to the lords) by cavilations or voidances: but to speak to them the language that my heart speaketh to me, in excusing, extenuating, or ingenuously confessing: praying to God to let me see the bottom of my faults, and that no hardness of heart do steal upon me under show of more neatness of conscience than is cause. But, not to trouble your majesty any longer, that which I thirst after, as the hart after the streams, is, that I may know by my matchless friend (Buckingham), that presenteth to you this letter, your majesty's heart, which is an abyssus of goodness, as I am an abyssus of misery, towards me. I have been ever your man, and counted myself but an usufructary of myself, the property being yours. And now, making myself an oblation, to do with me as may best conduce to the honor of your justice, the honor of your mercy, and the use of your service, resting as *clay in your majesty's gracious hands.*"

* The chancellor sometimes pleaded that he had indeed sold *justice*, but not *injustice*.

From

From this letter it appears that the chancellor was at first by no means aware of the irretrievable nature of his disgrace,—the whole depth of his fall. He seems to have believed that it was entirely in the king's power, and might perhaps be in his intention, to save him from the ignominy of a sentence, and probably to restore him to office. But gradually the full extent of his calamity opened upon him:—his release from the Tower,—his interview with the king,—even the wish expressed by his majesty on one occasion to hear his advice as to the conduct to be pursued by him respecting grievances,—led to no return of power or favor; and it is lamentable to find him, in his letters to the king, sinking at last to the abjectness of a supplication like the following:—

"Help me, dear sovereign lord and master, and pity me so far as I that have borne a bag be not now in my age forced, in effect, to bear a wallet; nor I that desire to live to study, may not be driven to study to live." Even this piteous entreaty seems to have produced no relief: he had, as we have before stated, a large nominal pension; but the embarrassed state of the treasury,—the gradual forgetfulness into which he sunk at court,—his own profuse habits, and the weight of debt under which he labored, conspired to keep him necessitous. There is considerable doubt as to the state of actual indigence to which some have affirmed that this great man was reduced: but it may safely be affirmed that he lived in constant difficulties and died insolvent.

Yet

Yet in some respects the five years that Bacon survived his fall, were the most glorious of his whole life: retired from the temptations and the distractions of public life, his active intellect expatiated at will through the regions of contemplation, and gathered there the fruits of immortality. Even in his addresses to the king some glimpses of a noble mind appear.

One of the first inducements which it occurred to him to offer to his majesty for treating him with lenity and generosity, was, that he should then be able to promise him two great works,—a good history of England, and a better digest of the laws. The first of these promises he fulfilled in part by his valuable history of Henry VII.; the second he had begun to perform, but was obliged to desist by the want of necessary assistance and encouragement. "I hope," says he, in one of his petitionary letters, "my courses shall be such, for this little end of my thread which remaineth, as your majesty, in doing me good, may do good to many both that live now and shall be born hereafter."

In his memorial of things to be spoken to his majesty, on being permitted to come to his presence, at the latter end of the year 1622, occurs the following imperfect memorandum: ...."My story is proud; I may thank your majesty; for I heard him note of Tasso, that he could know which poem he made when he was in good condition, and which when he was a beggar. I doubt he could make no such observation of me." This portion of his story might

might indeed be proud: the completion of his great work on philosophy; a new and much enlarged edition of his invaluable essays; besides thehistory of Henry VII. and many detached pieces on a variety of subjects, were the noble products of his years of disgrace and sorrow.

Jonson, his eulogist, not his flatterer, in prosperity, wrote of him thus nobly in his adversity:

"My conceit of his person was never encreased toward him by his place or honors: but I have and do reverence him for the greatness that was only proper to himself, in that he seemed to me ever, by his work, one of the greatest men, and most worthy of admiration, that had been in many ages. In his adversity I ever prayed, that God would give him strength; for greatness he could not want. Neither could I condole in a word or syllable for him, as knowing no accident could do harm to virtue, but rather help to make it manifest[a]."

Bacon appears to have fallen a victim to a rash exposure of himself to cold in the performance of a philosophical experiment. He expired in April 1626 at the house of the earl of Arundel at Highgate. "For my name and memory," he beautifully writes in his last will, "I leave it to men's charitable speeches, and to foreign nations, and the next ages[b]."

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[a] *Discoveries.*

[b] See for this part of the life of Bacon the letters and memorials chronologically arranged in the collection of his works.

CHAPTER XXI.

1621.

Disaffection of the parliament.—Usher appointed to preach before the commons,—his conference with James.—Conduct of Laud.—King's speech against monopolies.—Case of attorney Yelverton.—King's speech respecting the affairs of the Palatine.—Supplies delayed.—Parliament adjourned. —Opposition lords—earls of Essex and Oxford,—earl of Southampton—his imprisonment.—Lord Say and Sele,—earl of Warwick,—lord Spencer.—Insulting conduct of the earl of Arundel; his office of earl-marshal.—Competitors for the post of chancellor.—Sir Lionel Cranfield.—Dean Williams keeper of the seals.—Liberation of the earl of Northumberland,—of the earl and countess of Somerset. —Williams made bishop of Lincoln.—Circumstances of Laud's appointment to the see of St. David's.—Archbishop Abbot kills a man by chance,—proceedings respecting him. —Account of bishop Andrews,—Latin elegy on his death by Milton.

DURING the suspension of the use of parliaments in which James had for so many years persisted, the monarch, from a vain conceit of the reverence entertained for his wisdom and regal virtues, the favorite, from insolence and inexperience, and the courtiers, from habitual insensibility to the effects of abuses by which they profited, had all deceived themselves as to the sentiments entertained of their conduct by the nation at large; but the time

was

was now come when they were to be rudely awakened from their dream of self-complacency.

The proclamation against speaking of public affairs, was the more disregarded the oftener and the more urgently it was reiterated. Swarms of political libels flew abroad, in despite of the fetter of an *imprimatur* which then rested upon the press, and one of the sharpest of these, called "Tom Tell-truth," was written under the guise of obedience to that clause of the royal proclamation which commanded all good subjects to give information of discourse held against the measures of government. Gondomar, whose extraordinary power over the mind of the king, and "more than parliament protections" of priests and jesuits, as they are called by Tom Tell-truth, had justly provoked the people, was violently insulted in the streets of London; and the house of commons began to take measures for the protection of the protestant religion. It was matter of notoriety, that several concealed catholics had gained admittance by court favor into the house itself; and for the purpose of reducing such members to a distressing dilemma, it was moved by the *country party*,—the designation which now first began to be appropriated to the opponents of the court,—that the commons should go in a body and publicly receive the sacrament at St. Margaret's church. The resolution was the more displeasing to the king, as it was one which he could not decently oppose; and no other resource remained than to send for the preacher nominated by the house,

and to furnish him with the heads of what was deemed by his majesty a suitable discourse. This preacher was that very learned and pious divine the celebrated James Usher, who had already become known to the king by the following circumstances:

It had appeared to the church of Ireland a proper assertion of its independence on that of England, to publish articles of its own, in which the pen of Usher had been chiefly employed. The Calvinistic doctrine of predestination, clearly laid down in some of these articles, and the judaical observance of the sabbath enjoined in others, had given occasion to some officious persons to accuse the compiler of the sin most fatal in that reign to clerical preferment,—that of puritanism: but James was prepossessed in his favor by the "Continuation of Jewel's Apology for the church of England;" a learned work and well seasoned with commentary on the Apocalypse, which Usher had dedicated to him some time before; and on his visiting England in 1619, fortified with an earnest letter of recommendation from the lord-deputy and council of Ireland to the English council, the monarch had deigned to appoint him an audience, and in person to examine him on points of doctrine and discipline. The Irish divine had passed this ordeal so satisfactorily, that his royal examiner, never slack in rewarding what he acknowledged as ecclesiastical merit, soon after nominated him to the see of Meath.

On this occasion, his majesty remarked to Usher, that he had but an unruly flock to look unto next Sunday;

Sunday; adding, that he did not conceive how, after the late heats in the house, all the members could be in a fit state to partake of the sacred rite, and that he feared some would eat and drink their own condemnation: he required the bishop to tell them, that he hoped they were prepared, but wished them better prepared; to exhort them to affection and concord; and to teach them to love God first, and then their king and country; and especially to look upon the distressed state of Christendom, and to grant supplies for its relief; closing all with the favorite maxim which his majesty often repeated to his parliament,—"He twice gives who gives quickly."

Thus tutored, Usher mounted the pulpit; but his distinguished zeal against the church of Rome, probably the circumstance which had recommended him to the choice of the house, led him to overlook the scope of the king's injunctions, and to dwell principally on the protestant notion respecting the presence of Christ in the sacrament, which he strongly distinguished from transubstantiation.

It may be worth noting, that the prebendaries of Westminster refused the pulpit of St. Margaret's to Usher on this occasion, asserting their own right to officiate before the parliament; and the service was in consequence performed in the Temple church. This opposition originated with Laud, who thus ominously commenced his political career by a bold defiance of the will of the house of commons.

Somewhat daunted by all these manifestations of the spirit of his people, the king went to the house

of lords previously to the Easter recess, and there pronounced a speech remarkable for the total omission of his favorite prerogative doctrines, and for a certain humble, and, as it were, penitential tone, which formed an extraordinary contrast with the boastful and arrogant strain in which he had hitherto thought proper to address the great council of the nation.

He began by stating, that whereas it had been his errand the last time he appeared in that place, to declare the "verity" of his proceedings, and the caution used by him in passing the patents now in question before them; it was his present purpose to express his readiness to put in execution whatever they should sentence respecting them. As the first proof of his sincerity in this matter, he mentioned the diligent search which he had caused to be made after the person of sir Giles Mompesson, who had fled. (The truth however was, that this delinquent had been suffered to escape through the influence of Buckingham, and was never brought to justice.) "I do assure you," he added, "had these things been complained of to me before the parliament, I would have done the office of a just king, and out of parliament would have punished them as severely, and peradventure more than ye now intend to do. But now that they are discovered to me in parliament, I shall be as ready in this way as I should have been in the other; for I confess I am ashamed,—these things proving so as they are generally reported to be,—that it was not my good fortune to

be

be the only author of the reformation and punishment of them by some of the ordinary courts of justice. Nevertheless,.....I will be never a whit the slower to do my part for the execution.....So precious unto me is the public good, that no private person whatsoever, were he never so dear unto me, shall be respected by me, by many degrees, as the public good."

His majesty went on to declare his resolution not to infringe upon any of the privileges of the house of lords; and expressed his attachment to the peerage, which he had evinced by causing his only son to take his seat among them; "But," he added, "because the world at this time talks so much of bribes, I have just cause to fear the whole body of this house hath bribed him to be a good instrument for you upon all occasions; he doth so good offices in all his reports to me. And the like I may say of one that sits there,—Buckingham,—he hath been so ready upon all occasions of good offices, both for the house in general and every member in particular."

After acknowledging the free and affectionate dealing of both houses in granting him two subsidies, in a more loving manner than they had been given to any king before, he said, that the least return he could make was to "strike dead" the three great monopolies which had been peculiarly the subject of complaint. He likewise desired that the lords would proceed with a bill before them against informers: "For," said he, "I have already showed my

my dislike of that kind of people openly in star-chamber; and it will be the greatest ease to me and all those that are near about me at court that may be: for, I remember that since the beginning of this parliament, Buckingham hath told me, he never found such quiet and rest as in this time of parliament from projectors and informers, who at other times miserably vexed him at all hours." The extraordinary indecorum of these familiar notices of the sentiments and sayings of a particular nobleman in an address of the king to the house of lords, need not be pointed out: it seemed as if his majesty was anxious to show to all the world the full extent of his weakness, and the undivided possession which his favorite held of his thoughts at all times and in all places.

"And now," concluded his majesty, "I confess that when I looked before upon the face of the government, I thought, as every man would have done, that the people were never so happy as in my time: for even as at divers times I have looked upon many of my copices, riding about them, they appeared on the outside very thick and well grown unto me; but when I turned into the midst of them, I found them all bitten within, and full of plains and bare spots; ....even so this kingdom, the external government being as good as ever it was, and, I am sure, as learned judges as ever it had, and, I hope, as honest administering justice within it; and for peace both at home and abroad, I may truly say, more settled and longer lasting than ever any before; together with

with as great plenty as ever: so as it was to be thought, that every man might sit in safety under his own vine and fig tree: yet I am ashamed, and it makes my hair stand upright to consider, how in this time my people have been vexed and polled by the vile execution of projects, patents, bills of conformity and such like; which, besides the trouble of my people, have more exhausted their purses than subsidies would have done."

With reference to the attorney-general, whose cause was then depending, his majesty informed the house, that if they had forborne to meddle with him in examination because he was his prisoner, he freely remitted and put him into their hands[a]. The case of this public officer was a remarkable one, and worthy of being somewhat minutely detailed.

Sir Henry Yelverton is stated to have been "an obliged servant" of the house of Howard and the earl of Somerset, by whose favor he held the office of attorney-general at the time of the detection of Overbury's murder; and on that occasion he strove to protect his patrons by persuading Weston to stand mute on his trial. Buckingham, from the beginning of his career, appears to have looked with an evil eye upon this adherent of his predecessor, and Yelverton had further incensed him by some interference respecting the marriage of sir Edward Villiers, and still more by his official resistance to certain

[a] See the entire speech in *Annals of James I. and Charles I.*, p. 50.

illegal

illegal patents granted at the intercession of the favorite. At length, in 1620, the attorney, whose professional merit seems hitherto to have served him as a protection, gave his powerful enemy a handle against him by passing certain clauses in a charter granted to the city of London, not agreeable, it was said, to the warrant, and derogatory to his majesty's honor and profit. On this occasion, the option was offered him of submitting himself privately, or defending himself openly, and by the advice of friends he accepted the former alternative; but this humiliation not being deemed sufficient, the matter was afterwards brought before the star-chamber, where the attorney, though not unprovided, as he affirmed, of a satisfactory defence, again submitted himself, and again in vain. Though no corruption was laid to his charge, his departure from the warrant was treated as so high a misdemeanor, that, after a long and bitter speech against him by sir Edward Coke, he was sentenced to pay a fine of 4,000*l.*, to lose his office, and be imprisoned in the Tower during pleasure. While he was still in confinement, the zealous burgesses of Northampton elected him their representative; but before he had taken his seat, he was accused by the house of commons to the lords of certain unjustifiable acts relative to the patents of inns and hosteries, and that of gold thread.

Yelverton expressed his satisfaction at being called to justify his conduct openly before the bar of that honorable house, and, referring the particulars of his defence to a future day, said in the mean time,

time, with respect to the patent of inns, that if he deserved well of his majesty in any thing, it was in this matter; that the king and the subject were more abused by that patent than by any other; and that it was for his opposition to it, as he conceived, that he suffered at that day. On his defence before the peers, he gave in a particular and satisfactory answer to every article of the charge; and, fired by consciousness of injured innocence, he assumed courage to conclude his speech with the following striking narrative:

"When sir Giles (Mompesson) saw I would not be wooed to offend his majesty in his direction, I received a message by Mr. Emmerson, sent me from sir Giles; that I would run myself upon the rocks, and that I should not hold my place long, if I did thus withstand the patent of inns; or to this effect: He had a message to tell me from my lord of Buckingham, that I should not hold my place a month, if I did not conform myself in better measure to the patent of inns; for my lord had obtained it by his favor, and would maintain it by his power.

...."Soon after, I found the message in part made good; for all the profits almost of my place were diverted from me, and turned into an unusual channel, to one of my lord's worthies; that I retained little more than the name of attorney. It became so fatal and so penal that it became almost the loss of suit to come to me, my place was but the seat of winds and tempests. Howbeit, I dare say, if my lord

lord of Buckingham had but read the articles exhibited in this place against Hugh Spencer, and had known the danger of placing and displacing officers about a king, he would not have pursued me with such bitterness.

"But by opposing my lord in this patent of inns, and in the patent of ale-houses, in the Irish customs, and in sir Robert Naunton's deputation of his place in the court of wards, these have been my overthrow; and for these I suffer at this day in my estate and fortune (not meaning to say I take it, but as I know, and for my humble oppositions to his lordship) above twenty thousand pounds."

Such an attack upon the conduct of the favorite was not to be endured: James was pleased to regard it as an attempt against his own honor, and sent word to the lords that he intended "to do himself justice;" but the house, not greatly relishing this kind of interference, besought his majesty to leave the punishment to them, and without taking any notice of the accusation brought against Yelverton by the commons, they proceeded to adjuge him for his speeches against the king, to pay a fine of 10,000 marks, to make submission, and to be imprisoned during pleasure; and, for what he had said against the marquis, to pay a further fine of 6,000 marks. But this sentence, so severe in appearance, proved in reality little more than nominal. Buckingham, rising in his place, instantly forgave his part of the fine, and the house agreed to intercede with the king for

for the remission of the rest; nor was his imprisonment of long duration. Buckingham also, overawed by the spirit which his intended victim had displayed in his defence, and apprehensive perhaps of further disclosures, took him into favor, and he was afterwards made a judge.

On the resumption of business after the recess, the king, to whom the proceedings of the parliament had become a matter of great interest and importance, came again to the house of lords, prepared with another *wooing speech* for the two houses. He gave fresh encouragement to their zeal for the redress of grievances, declaring with peculiar warmth against bribery and corruption in courts of justice, and enjoining them to spare none who should be found guilty in these respects; a very intelligible disclaimer of any desire on his part to protect the devoted chancellor. Passing then to the affairs of the palatine, he explained, that the amount of the subsidies granted at the meeting of parliament, which he again thankfully acknowledged, had been already expended in succours to his daughter and her family, now refugees in Holland, and in subsidies to the princes of the protestant union. He said, that he had procured a truce in this quarter, and hoped that a peace might be concluded; but stated, that the expenses of the negotiation, or of the levy of an army, should it finally prove necessary, could not be supported without a fresh grant of money, for which he pressed in the most urgent manner, adding a solemn protestation that he would not dissolve

solve the parliament till they should have concluded the matters which they had in hand[a].

But the house of commons was little disposed to vote more money without the certainty of a war for the recovery of the Palatinate, and without a full discussion of certain measures which involved, as they well knew, the most cherished principles or prejudices of the monarch. These were,—the indulgence granted to catholics in the non-execution of the penal laws;—the treaties concluded with the king of Spain and the emperor, to the detriment, as was thought, of the country, and the hazard of the protestant cause;—and the negotiations carrying on for the marriage of the prince of Wales to the infanta. It was his jealousy on these subjects principally, which had induced James to issue, and more than once to reiterate, his proclamation against speaking on state affairs: but the parliament had certainly some ground for believing its discussions virtually excepted out of the general prohibition. James himself, after his warning to the commons at their first meeting to abstain from interfering with affairs belonging to his prerogative, had deigned to mention to them the existence of a treaty for the marriage of the prince with the Spanish princess, "which," he said, "if it were not for the benefit of the established religion in England, and of the reformed abroad, he was not worthy to be their king[b]." With respect to the security of

[a] *Annals of James I. and Charles I.*, p. 52.

[b] Coke's *Detection*, p. 96.

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the protestant religion, also, there had been some application made to his majesty, at the beginning of the session, through the lord-chancellor, which did not appear, under such management, to give offence. But the sentiments of the king and the house of commons respecting the first principles of government and the leading maxims of policy, both foreign and domestic, were in truth irreconcileably discordant, and in the present disposition of both, there was no prospect of any amicable adjustment. The longer the session continued, the more cause James found to tremble for his favorite prerogative doctrines, now openly attacked, and the less hope he perceived of a fresh vote of supply: at length, losing all patience, on the 4th of June, before any one business had been brought to a conclusion, before a single bill, except that of subsidy, had passed, in violation of his own absolute promise, he commanded the lord-treasurer to adjourn the parliament to November 16.

This interruption was highly resented by the commons, who regarded it as a flagrant violation of their privileges; adjournment being, as they affirmed, not in the option of the sovereign, but of each house within itself; and they requested a conference with the peers on the subject. The peers however refused to join with the commons in their intended protest; for which the king, coming to the house of lords, returned them his thanks in person; at the same time he offered, at their intercession, to defer the adjournment for a few days, which were afterwards prolonged to a fortnight.

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The commons, before their separation, unanimously voted a declaration, in which they strongly expressed their sorrowful feeling of the distresses of his majesty's children abroad, and the generally afflicted state of the professors of the same christian religion with the church of England, and solemnly pledged themselves, should his majesty's present negotiations,—in which they begged that there might be no delay,—fail of their effect, so to support him, both with their lives and fortunes, "as that, by the divine help of almighty God, (which is never wanting to those who in his fear shall undertake the defence of his cause,) he may be able to do that with his sword, which by a peaceable course shall not be effected."

Although the peers as a body had not thought proper to join with the commons in the assertion of their claims respecting adjournments, the upper house was not destitute of a spirited minority who stood forth in opposition to the court, and encountered its adherents in frequent and warm debates.

The earls of Oxford and Essex, indignant at the refusal of further levies to support the cause of the Palatine, were zealous and active malcontents. A more formidable opponent, from his mature age, his talents, and the active part which he had formerly sustained in the counsels of Essex, was the earl of Southampton. This accomplished nobleman was of a haughty and impetuous temper, and to the personal quarrels in which it involved him, are probably to be ascribed, in great measure, the sudden changes

changes from favor to disgrace which had distinguished his public career. The act of grace by which James, at the commencement of his reign, had relieved the earl from all the consequences of his attainder, had been succeeded, in 1604, by a short imprisonment, which some have ascribed to political, and others to conjugal jealousy on the part of the king. A return of favor two years afterwards, gained him the office of warden of the New Forest for life. Afterwards, he directed his thoughts to the subject of colonisation in the western hemisphere, and in 1609 became an active member of the Virginia company. The next year his majesty gave himself the superfluous trouble of making a reconciliation between this gallant nobleman and that noted poltroon Philip earl of Montgomery. They had fallen out, it seems, at tennis, and boxed each other's ears with their rackets,—such were the manners of the age,—but no further bloodshed ensued. In 1613, lord Southampton returned in haste from the continent to sustain the honor of a royal visit at his house in Hampshire; he attended the king into Scotland in 1617, and, soon after his return, was rewarded for this courtly attention by admission to the council-board, which he had long solicited in vain. But his disposition was ill-adapted to the servility and base intrigue which prevailed in the court and cabinet of James; he obtained no share of political power, was chosen treasurer of the Virginia company contrary to the wishes of the king, and both in this station, which was one of considerable weight

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and influence, and in his place in the house, showed himself an opponent of the measures of the court[a]. What was still more audacious, he "rebuked the lord marquis of Buckingham with some passion and acrimony for speaking often to the same thing in the house, and out of order[b]."

Scarcely was the parliament adjourned, when the offended minion caused his master to commit the earl to private custody in the house of his friend Dr. Williams dean of Westminster, and afterwards to confine him to his own seat at Titchfield under the inspection of sir William Parkhurst. The following letter written by him during the time of his restraint to Williams, then bishop of Lincoln, at once exhibits the high spirit of the man, and exposes the abjectness of conduct required of him as the means of recovering his freedom.

The earl of Southampton to the bishop of Lincoln.

"My lord,

"I have found your lordship already so favorable and affectionate unto me, that I shall be still hereafter desirous to acquaint you with what concerns me, and bold to ask your advice and counsel; which makes me send this bearer to give your lordship an account of my answer from the court, which I cannot better do than by sending unto you the answer itself, which you shall receive here inclosed. Wherein

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[a] *Memoirs of King James's peers*, by sir E. Brydges, p. 322.
[b] *Life of Williams*, p. 69.

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you may see what is expected from me;—that I may not only magnify his majesty's gracious dealings with me, but cause all my friends to do the like, and restrain them from making any extenuation of my errors; which, if they be disposed to do, or not to do, is impossible for me to alter, that am not likely for a good time to see any other than mine own family. For myself, I shall ever be ready, as is fit, to acknowledge his majesty's favor to me, but can hardly persuade myself that any error by me committed deserved more punishment than I have had; and hope that his majesty will not expect that I should confess myself to have been subject to a star-chamber sentence, which God forbid I should ever do. I have, and shall do according to that part of my lord of Buckingham's advice to speak of it as little as I can, and so shall I do in other things, to meddle as little as I can. I purpose, God willing, to go to-morrow to Titchfield, the place of mine confinement, there to stay as long as the king shall please[a]," &c.

The bishop appears to have felt considerable indignation at the measure of chastisement inflicted on the earl, of the unpopularity and inexpediency of which he was also fully sensible; and he thus boldly expostulated by letter with the arrogant favorite: "It is full time his attendant were revoked in my poor opinion, and himself left to the custody of his own good angel. Remember your noble self," he

[a] *Cabala*, p. 57. edit. 1654.

adds, "and forget the aggravations of malice and envy, and then forget, if you can, the earl of Southampton[a]." To the earl himself however, in answer to the letter from him above quoted, he explains and softens matters as much as possible, and persuades him to mildness and patience. Respecting the punishment which the earl might have incurred, he thus delivers his opinion:

"How far you could be questioned in the star-chamber, is an unseasonable time to resolve. The king hath waived off all judgement, and left nothing for your meditation but love and favor, and the increasing of both these. Yet I know, upon my late occasions to peruse precedents in that court, that small offences have been in that court, in former times, deeply censured. In the sixteenth of Edward II., for the court is of great antiquity, Henry lord Beaumont, running a way of his own about the invading of Scotland, and dissenting from the rest of the king's council,—because of his absenting himself from the council table was fined and imprisoned, though otherwise a most worthy and deserving nobleman[b]."

Several things are to be learned from this passage: First, that it was his capacity of a privy-councillor which afforded the pretext on which the earl was punished for his political opinions,—or rather for his treatment of Buckingham: Secondly, that any precedent, though of the worst kings in the rudest and most turbulent times, was eagerly caught at by

[a] *Cabala*, p. 59. [b] *Ibid.*, p. 58.

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the ministers of James as a justification of his attacks on the liberty of his subjects: Thirdly, that whoever in this reign ventured, though in the most legal and constitutional manner, to resist the royal will, was understood to do so at the peril of arbitrary penalties which might extend to fines of *any* amount and imprisonment of *any* duration; a circumstance which ought to inspire the highest reverence for those who dared to show themselves patriots in such an age, while it suggests a strong excuse for those abject submissions by which very well-meaning persons were sometimes glad to atone for any exertions of public spirit which had proved offensive to persons in authority.

The earl of Southampton, disgusted probably with the dark suspicions and the busy malice by which he had been so frequent a sufferer at home, accepted the command of an English regiment raised for the Dutch service. His eldest son accompanied him; but an epidemic broke out among the troops, to which the young man speedily became a victim, and his afflicted father soon shared his fate, dying at Bergen-op-zoom in November 1624.

Other principles, and a very opposite cast of character, communicated their impulse to William Fienes lord Say and Sele, one of the most distinguished opposition-leaders of this reign and parliamentarians of the next. This peer was of Norman extraction, and the nobility of his line was as ancient as the conquest; but an ancestor who sustained a considerable part in the wars of York and Lancaster,

and was finally slain in the battle of Barnet, having been twice made a prisoner during that contest, was so impoverished by the payment of heavy ransoms, that his posterity had sunk into indigence and obscurity; received no summons to parliament during several descents, and at length discontinued even the title. Richard Fienes, the father of William, had been content to receive knighthood from the hands of queen Elizabeth; but under her successor he had taken out letters patent confirming to him and his heirs the possession of the title of barons Say and Sele. The circumstances of the family were still continued narrow, and William Fienes, born in 1586, though the eldest son, is said to have enjoyed a fellowship of New College Oxford as being of kin to William of Wickham the founder. He married however, in very early life, the daughter of John Temple of Stow, and became a noted puritan. This nobleman was at once necessitous and haughty, and was judged by some to thwart the court, partly from a certain moroseness of temper, and partly, as his abilities were unquestionably great, with a view of making it worth while to purchase his adherence.

If such were his design, he in some degree succeeded; for king James, in the year 1624, was induced to create him a viscount, and thus took off for a time the edge of his opposition; but in the following reign he stood forth the undaunted defender of the invaded rights of the people, as well as the systematic enemy of the hierarchy, and the personal antagonist of some of the leading churchmen of the day.

day. Clarendon himself has testified of lord Say, that "he had always opposed and contradicted all acts of state, and all taxes and impositions, which were not exactly legal; and so had as eminently and as obstinately refused the payment of ship-money as Mr. Hampden had done." He also says of him, that he was "of the highest ambition; but whose ambition would not be satisfied with offices and preferments, without some condescensions in ecclesiastical matters:" in other words, he had principles both political and religious, which, whatever might be his ambition or his necessities, he constantly preferred to his own interest or advancement.

Robert earl of Warwick was the son of the third lord Rich and first earl of Warwick of that name, by the lady Penelope Devereux, that beautiful and beloved sister of the earl of Essex whose attachment to Charles Blount earl of Devonshire afterwards occasioned her divorce. He possessed, with the personal graces of his mother, somewhat of the aspiring and adventurous spirit of his uncle. Though a man of wit, gaiety and pleasure, he found means to conciliate the favor of the puritanical party in the church, and, pursuing steadily a popular course in politics, became an eminent leader in the civil contest of the following reign.

Robert first lord Spencer of Wormleighton was a nobleman of great worth and honor, of a plentiful fortune and independent mind. With the exception of a mission of ceremony to carry the order of the garter to the duke of Wirtemberg, which he performed

formed splendidly, and doubtless at considerable expense to himself, he was never invested with any public employment; and, except when summoned to the performance of his parliamentary duties, he passed his time on his own estate, in the calm enjoyment of the rural pleasures which he loved, and in the exercise of the virtues adapted to his station. He was at once loyal to his king and true to his country; he spoke well in the house of lords and was heard with favor; and his diligence and capacity caused him to be nominated on most committees and conferences with the lower house.

Lord Spencer was connected with the earl of Southampton by the marriage of his son and heir to a daughter of that nobleman; and like him, but perhaps from motives more purely of a public nature, opposed with force and spirit the arbitrary principles of the government;—conduct which on one occasion drew upon him a memorable affront from a nobleman on the opposite side, who probably found it easier to insult than to confute him. The circumstance was this:

In a debate respecting some matters connected with the royal prerogative, lord Spencer stood forth as the advocate of popular privileges, and referred, as was natural on such an argument in such a place, to the great actions of their ancestors. The earl of Arundel, whom the blood of the Howards entitled, as he imagined, to look down with scorn on the recent nobility and scanty pedigree of the Spencers, replied with bitterness; "My lord, when these things were

were doing, your ancestors were keeping sheep." Here the house judged it proper to interpose, and ordering both noblemen to withdraw, it came to a resolution, that the earl of Arundel, as the aggressor, should be committed to the Tower; nor was he afterwards liberated without a due submission.

The native arrogance of the earl of Arundel, as well as his attachment to prerogative, was much augmented by his appointment soon after to exercise the office of hereditary earl-marshal. There were, it seems, two distinct offices comprised within this grant, that of earl-marshal of England, and that of marshal of the king's household; the first of which, comprising the cognisance of duels without the realm, combats within it, armory, blazon, and a few other matters not triable by common law, was exposed to no objection, had been exercised by different noblemen under letters patent since the attainder of the last duke of Norfolk, and was at this time in commission. But the other, in virtue of which the marshal, with the seneschal or steward, held plea of trespasses, contracts and covenants made within the verge of the court, implied an extent of uncontrolled authority so formidable, that the lord-keeper thought it his duty to delay sealing the patent of the earl of Arundel while he represented its inconveniences to Buckingham. He writes of it as "a power limited by no law or record, but to be searched out from chronicles, antiquaries, heralds and such obsolete monuments, and thereupon held these sixty years (for my lord of Essex's

Essex's power was strictly bounded and limited) unfit to be revived by the policy of this state[a]." Notwithstanding this warning, the king persisted in granting to the earl the united offices in as ample manner as they had been held by the Mowbrays and Howards his ancestors. A higher imprudence, the temper of the man and the spirit of the age considered, could scarcely have been committed; the revival of the obsolete marshal's court became in the next reign an intolerable grievance, which it was found necessary to remove, and in the mean time it might be regarded as one of the most flagrant of those acts by which James aggravated the sense of oppression which had already united in opposition to his government men of characters, principles and designs, so various and apparently irreconcileable.

During the sitting of parliament the great seal remained in commission, and this delay and apparent hesitation in the disposal of it, gave time and opportunity for a variety of court-manœuvres. The lord-treasurer, to procure some advantage to himself, began to claim for the king the casual fines, a full moiety of the profits of the chancellor's office; a bill was prepared by certain members of parliament for settling the places of *custodes rotulorum* and clerks of the peace for life on their possessors; and the under officers petitioned the lords to be allowed "some collops out of the chancellor's fees[b]." There were also several candidates mentioned for

[a] *Cabala*, p. 64. [b] *Life of Williams*, p. 52.

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the place itself; especially the two chief-justices,—sir James Ley and sir Henry Hobart;—the last of whom was on the point of marriage with a lady of the Villiers' family,—and sir Lionel Cranfield, also "married in the kindred that brought dignity to their husbands;"—the only circumstance, it may be added, which could have inspired such a person with the audacity to raise his thoughts to the seat from which a Bacon had fallen, and the highest dignity of a subject.

Cranfield, characterised by the biographer of Williams as "a man of no vulgar head-piece, yet scarce sprinkled with the Latin tongue," was born and bred in the city, and originally a merchant; afterwards he had turned *projector*, by which term was then designated a person who occupied himself in pointing out to the officers of the exchequer sources of profit to his majesty often neither honorable nor legal, and in suggesting to the courtiers objects to make suit for in the shape of grants out of this or that particular branch of the royal revenue, monopolies, patents or licenses. By the favor of Buckingham he had already been pushed forward into the post of master of the wards,—a place of great trust and profit,—and he subsequently obtained the high office of lord-treasurer. Dean Williams affected to patronise the pretensions of Cranfield; but in his secret soul he had fixed upon the custody of the great seal as his own reward for counsels which had rescued the favorite from disgrace and his master from anxiety, and he at length succeeded

succeeded in bringing them to regard it as his due.

It is related on contemporary authority, that the king, on receiving the seal from the four great officers sent to demand it of Bacon, had been overheard by some about him to say, "'Now by my *saul* I am pained at the heart where to bestow this; for as for my lawyers, I think they be all knaves.' Which it seemeth that his majesty spake at that time," adds the narrator, "to prepare a way to bestow it on a clergyman, as the marquis of Buckingham had intended[a]."

This predestination of the office, we may also remark, at a time when Bacon was still permitted to flatter himself with the hope of his own reinstatement, is another and most convincing proof of the treachery practised towards him by the king and the marquis.

It was not without considerable precaution, however, that James ventured upon the unpromising experiment of investing a churchman with this great judicial office, of which, under the protestant sovereigns of England, laymen and lawyers had been the exclusive occupants. Williams himself found it expedient to propose, that in future the place of lord-keeper,—the highest title at which he dared to aim,—should be held for no longer term than three years;—that in his own case a probation of a year and a half, during which he should be regarded as

[a] Sir J. D'Ewes's *Life of himself*, MS. in the Brit. Mus.

little

little more than a commissioner, should precede his full assumption of the place; and that two judges should sit with him as assessors to guide his judgement. Hacket, his right reverend biographer and eulogist, has also been careful to inform us, that Williams, when chaplain to lord-chancellor Ellesmere, had taken great pains to acquaint himself with various branches of the business of the office, and with the rules by which decisions in equity were guided: a statement which, if correct, proves in a remarkable manner the long reach of his ambition. It is pretty clear, however, that his knowledge was nothing more than a smattering; and even by the confession of his apologist, his proud and choleric disposition eminently disqualified him for judicial functions. Lord Clarendon states without hesitation that Williams, "though a man of great wit and good scholastic learning, was generally thought so very unequal to the place, that his remove was the only recompense and satisfaction that could be made for his promotion." By the lawyers, as a body, this appointment was naturally viewed with profound disgust, and more unbiassed spectators could not but regard it as an alarming indication of the growing influence of the clergy over the mind of the king, and also of the inveterate jealousy with which he beheld that class of men, to whom the study and administration of the English law had afforded a different measure of right and justice from the arbitrary will of a monarch and the friendship and enmities of a minion. It is said, that during the first

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term of the new lord-keeper, the lawyers objected to pleading before him; and though they afterwards relaxed on this point, the general dislike continued.

The new lord-keeper, however, was by no means destitute of redeeming merits; learned and munificent, he became one of the noblest patrons of men of letters, and he appears to have distributed the church preferment in his disposal with excellent judgement and conspicuous liberality. Though irascible and violent, he was by no means vindictive; and a sense of the expediency of taking all good means to mitigate or counteract the disgust and envy which had accompanied his extraordinary elevation, combined with the better parts of his nature to render him on many occasions a powerful intercessor for the disgraced and the unfortunate. It was through his skilful representations, seconding the entreaties of the earl of Carlisle, that James was at length prevailed upon to liberate, after a fifteen years' captivity, that almost forgotten victim of suspicion and court intrigue, the earl of Northumberland. It is said that this nobleman availed himself with reluctance of a liberation procured for him by the earl of Carlisle, who had, a few years before, married his youngest daughter without his consent, and whose friendship and alliance he still contemned. Pride was indeed a leading feature in the character of Northumberland which misfortunes seem to have had the effect rather of aggravating than softening; and it was by a striking display of it that he signalised his deliverance.

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The information had reached his ears in his confinement that the ostentatious Buckingham was drawn by six horses; two more than had ever been seen harnessed to a coach before; and he remarked, that if this favorite had six, he himself might well have eight; in which extraordinary state he accordingly rode through London on his way to Bath for the recovery of his health.

After this sally, however, he found it expedient, willingly or otherwise, to retire to his mansion of Petworth in Sussex, remote alike from the intrigues of the capital and from the hereditary seats of the Percy power and grandeur in the north; and there to wear away in tranquil obscurity the remnant of a troubled existence.

A more questionable exercise of the royal mercy, of which also his biographer gives the lord-keeper the credit, was the liberation of the guilty earl and countess of Somerset from the Tower, which was accomplished in January 1622. The contemporary impression produced by this act is thus preserved in a letter from Thomas Meautys to his patron lord Bacon:—

"I met even now with a piece of news so unexpected, and yet so certainly true, as that, howsoever I had much ado at first to desire the relater to speak probably; yet now I dare send it your lordship upon my credit. It is my lord of Somerset's and his lady's coming out of the Tower on Saturday last, fetched forth by my lord Falkland, and without the usual degrees of confinement, at first to some one place,

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but absolute and free to go where they please. I know not how peradventure this might occasion you to cast your thoughts touching yourself into some new mould, though not in the main, yet something on the bye[a]." From the last sentence of this extract it appears that Meautys must have conceived of Somerset's return to favor as no improbable event; in which case it might become worth his patron's while to show him some attentions. But for this surmise there was no foundation. Instead of being suffered to go whither he pleased, he was ordered to confine himself to the house of lord Wallingford or its neighbourhood; and James never was guilty of readmitting him to his presence. He lingered out a useless and miserable life, embittered at once by the stings of conscience and by the rancorous hatred between his countess and himself which had succeeded their criminal passion, and which was so vehement and implacable, that they are related to have passed several years in the same house without the interchange of a single word.

The bounty of the king towards his favorites, it is well known, observed no limits; and Williams had not held the seals a month before the bishopric of Lincoln was added to his preferments; the revenues of this bishopric, as of most others, had been shorn down close for the benefit of the courtiers of Elizabeth; and on this pretext, the new prelate obtained permission to retain his deanery of West-

[a] Bacon's *Works*, vol. vi. p. 304, 8vo edit.

minster,

minster, a good rectory and other benefices. Three more bishoprics became vacant about the same time; that of Salisbury, which the lord-keeper begged for his friend the worthy and candid Davenant, whose deanery of St. Paul's now crowned the modest wishes of Donne,—that of Exeter, which he obtained for Dr. Valentine Carew,—and that of St. David's, which, from motives of personal interest, he asked for Laud; on whom his own deanery of Westminster would otherwise have been conferred by Buckingham.

The following remarkable particulars of the negotiation are recorded by Hacket:

"The see of St. David's did then want a bishop, but not competitors: the principal was Dr. Laud, a learned man and a lover of learning. He had fastened on the lord-marquis to be his mediator, whom he had made sure by great observances: but the archbishop of Canterbury had so opposed him, and represented him with suspicion (in my judgement improbably grounded) of unsoundness in religion, that the lord-marquis was at a stand, and could not get the royal assent to that promotion. His lordship, as his intimates know, was not wont to let a suit fall which he had undertaken; in this he was the stiffer, because the archbishop's contest in the king's presence was sour and supercilious. Therefore he resolved to play his game in another hand; and conjures the lord-keeper to commend Dr. Laud strenuously and importunately to the king's good opinion, to fear no offence, neither to desist for a little

little storm. Accordingly he watched when the king's affections were most still and pacificous; and besought his majesty to think considerately of his chaplain the doctor, who had deserved well when he was a young man in his zeal against the millenary petition: and for his incorruption in religion, let his sermons plead for him in the royal hearing, of which no man could judge better than so great a scholar as his majesty.

" 'Well,' says the king, 'I perceive whose attorney you are; Stenny hath set you on. You have pleaded the man a good protestant, and I believe it: neither did that stick in my breast when I stopt his promotion. But was there not a certain lady, that forsook her husband and married a lord that was her paramour? Who knit that knot? Shall I make a man a prelate, one of the angels of my church, who hath a flagrant crime upon him?' 'Sir,' says the lord-keeper very boldly, 'you are a good master, but who dare serve you if you will not pardon one fault, though of a scandalous size, to him that is heartily penitent for it? I pawn my faith to you, that he is heartily penitent; and there is no other blot that hath sullied his good name. Velleius said enough to justify Murena that had committed but one fault, *Sine hôc facinore potuit videri probus.*' 'You press well,' says the king, 'and I hear you with patience; neither will I revive a trespass any more which repentance hath mortified and buried. And because I see I shall not be rid of you, unless I tell you my unpublished cogitations, the plain truth

truth is, that I keep Laud back from all place of rule and authority, because I find he hath a restless spirit, and cannot see when matters are well, but loves to toss and change, and to bring things to a pitch of reformation floating in his own brain, which may endanger the steadfastness of that which is in a good pass, God be praised. I speak not at random, he hath made himself known to me to be such a one: for when three years since I had obtained of the assembly of Perth to consent to five articles of order and decency, in correspondence with this church of England, I gave them promise by attestation of faith made, that I would try their obedience no further anent ecclesiastic affairs, nor put them out of their own way, which custom had made pleasing unto them, with any new encroachments..... Yet this man hath pressed me to invite them to a nearer conjunction with the liturgy and canons of this nation; but I sent him back again with the frivolous draught he had drawn.....For all this he feared not mine anger, but assaulted me again with another ill-fangled platform, to make that stubborn kirk stoop more to the English pattern: but I durst not play fast and loose with my word. He knows not the stomach of that people, but I ken the story of my grandmother the queen-regent; that after she was inveigled to break her promise made to some mutineers at a Perth meeting, she never saw good day, but from thence, being much beloved before, was despised of all the people. And now your importunity hath compelled me to shrive myself thus

unto you, I think you are at your furthest and have no more to say for your client.

"'May it please you, sir,' says the lord-keeper, 'I will speak but this once: you have indeed convicted your chaplain of an attempt very audacious, and very unbeseeming; my judgement goes quite against his.....I am assured, he that makes new work in a church begets new quarrels for scriblers, and new jealousies in tender consciences. Yet I submit this to your sacred judgement, That Dr. Laud is of a great and tractable wit. He did not well see how he came into this error; but he will presently see the way how to come out of it. Some diseases which are very acute are quickly cured.' 'And is there no *whoe*, but you must carry it?' says the king: 'Then take him to you, but on my soul you will repent it:' and so went away in anger, using other fierce and ominous words, which were divulged in the court, and are too tart to be repeated[a]."

The sagacity of the king proved in this instance prophetic. Laud, with a fierce temper, narrow prejudices and great ignorance of the world, was better fitted to pursue blindly the measures of Buckingham than his more sagacious rival the lord-keeper, whom he quickly supplanted in the favor of this all-powerful favorite.

Just at the time when the three bishops elect were awaiting consecration, an accident occurred which gave rise to much curious discussion, much

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[a] *Life of Williams*, p. 63.

court

court intrigue, and some striking displays of character.

Abbot, archbishop of Canterbury, though a person of austerity in most respects, indulged himself, it seems, in the amusement of hunting, and as he was following his sport in the park of his friend lord Zouch, aiming at a buck with his cross-bow, the bolt glanced and killed the game-keeper. The circumstance was a startling one, and absolutely unprecedented in the church history of England. By the common law, the archbishop had incurred by this involuntary homicide the forfeiture of all his goods and chattels to the king; but James, indulgent from sympathy to a mischance of which his favorite diversion was the cause, instantly remarked, "that an angel might have miscarried in that sort;" and he kindly addressed to the primate a consolatory letter, written with his own hand, in which he assured him, "that he would not add affliction to his sorrow, nor take one farthing from his chattels and moveables, which were confiscated by our civil penalties[a]."

Thus far all was well; but the church was not so easy to be satisfied in the matter as its lay head; and Williams, as keeper of the king's conscience, judged it necessary to address to the marquis of Buckingham the following admonitory letter:

"An unfortunate occasion of my lord's grace his killing of a man casually, as it is here constantly reported, is the cause of my seconding yesterday's

[a] *Life of Williams*, p. 65.

letter unto your lordship. His grace, upon this accident, is by the common law of England to forfeit all his estate unto his majesty, and by the canon law, which is in force with us, irregular *ipso facto*, and so suspended from all ecclesiastical function until he be again restored by his ecclesiastical superior, which I take it is the king's majesty, in this rank and order of ecclesiastical jurisdiction. If you send for Dr. Lamb, he will acquaint your lordship with the distinct penalties in this kind.

"I wish with all my heart his majesty would be as merciful as ever he was in all his life; but yet I held it my duty to let his majesty know by your lordship, that his majesty is fallen upon a matter of great advice and deliberation. To add affliction to the afflicted, as no doubt he is in mind, is against the king's nature; to leave *virum sanguinum*, or a man of blood, primate and patriarch of all his churches, is a thing that sounds very harsh in the old councils and canons of the church. The papists will not fail to descant upon the one and the other. I leave the knot to his majesty's deep wisdom to advise and resolve upon[a]."

It is presumed, that either at an earlier period of the English church, whilst that sentiment of disdain and aversion for the superstitions and impostures of popery which had prompted the reformation, was still lively; or at a later period, when the light of reason and philosophy had shone more clearly upon

[a] *Cabala*, p. 55.

these

these questions,—the notion that a protestant prelate could thus be incapacitated for the exercise of his professional functions, would have been rejected with contempt. But in the age of James, when the canonists and schoolmen were still studied at Oxford and Cambridge as much as at Paris or Bologna, the subject was judged worthy to be treated as one of great difficulty and serious importance; it was even mentioned as a circumstance of some weight, that the doctors of the Sorbonne had debated the case and voted it to amount to *a full irregularity*. And yet there is good ground to believe that the enmity entertained by certain leading churchmen against the archbishop, had more share than theological scruple in the objections raised against him. The king however still regarded him with favor, and seems to have firmly resolved on bringing him safe through his difficulties. The merits of the archbishop in the eyes of his majesty were indeed very considerable, and are thus summed up by a clerical contemporary:

"He was painful, stout, severe against bad manners, of a grave and voluble eloquence, very hospital, fervent against the Roman church, and no less against the Arminians, which in those days was very popular;—He had built and endowed a beautiful eleemosinary mansion at Guildford, where he was born; he sent all the succours he could spare to the queen of Bohemia, the king's only daughter; was a most stirring councillor for the defence of the Palatinate; was very acceptable to the nobility and to the people both of this realm and of Scotland, where

where he had preached often fourteen years before, when he was in the train of the earl of Dunbar. All these flowers in his garland were considered severally and mixtly, when this gloomy day of misfortune bedarkened him[a]."

Williams coincided with the archbishop in his Calvinistic opinions; but as a statesman and politician, he discountenanced all rigor either against Arminians or catholics; and he equally disapproved the degree of severity exercised by the archbishop in the high-commission court in depriving clergymen convicted of scandalous immorality of all ecclesiastical preferments, and thus, in many cases, reducing them and their families to utter beggary. Besides these grounds of objection to the primate, ambition like Williams's can scarcely be supposed to have overlooked the brilliant prospect which a vacancy at Lambeth would have opened to him at this crisis of his fortune.

Dr. Laud had a quarrel of twenty years standing with Abbot; who had on several occasions at Oxford opposed and censured him on account of the popish tendencies of doctrines maintained by him in his academical exercises. It was with the lord-keeper and the bishop elect of St. Davids that the suggestion of the archbishop's irregularity appears to have originated.

After an interval which marks his reluctance to proceed in the business, the king, finding that the

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[a] *Life of Williams*, p. 65.

acts

acts of the spiritual courts were suspended till sentence should be pronounced respecting the archbishop, found it necessary to nominate commissioners to decide the cause. They were ten in number; namely, the lord-keeper, the bishops of London, Winchester and Rochester, the bishops elect of Exeter and St. Davids, chief-justice Hobart, judge Dodderidge, sir Henry Martin dean of the Arches, and Dr. Steward an eminent civilian. After much pains and many conferences, this grave and learned synod was obliged to announce to the world an irreconcileable disagreement of opinion among its members. On the first question propounded to them, "Whether the archbishop were irregular by the fact of involuntary homicide?" the four laymen and the bishop of Winchester "who was a strong upholder of incontaminate antiquity," decided in the negative; the other five bishops in the affirmative. On the second question, "Whether that act might tend to scandal in a churchman?" the bishop of Winchester, judge Hobart and Dr. Steward doubted: the rest determined, that there might arise from such an accident "a scandal taken, but not given." On the third question, "How the archbishop should be restored, in case the king should follow the opinion of those who maintained that there was an irregularity?" all agreed that the restitution must proceed from the king; and the bishop of Winchester, with the laymen, thought it might be included in the same patent with the pardon; but the other prelates held that it ought to be performed by bishops

commissioned

commissioned for the purpose, after the manner of a formal clerical absolution.

The king preferred the mode which excluded the agency of the bishops, and by letters under his great seal assoiled the primate, and rendered him capable of using all the authority of a metropolitan in the same manner as if the homicide had never happened.

The archbishop showed a deep feeling of his situation, and during life observed a monthly fast in memory of his misfortune; yet it always served the high churchmen his enemies as a topic of reproach, and a pretext for slighting his authority. The lord-keeper, with the bishops elect of St. Davids and Exeter, went so far as to throw themselves at the king's feet and implore that, since their opinions on the subject had been made known, they might not be compelled to wound their consciences by receiving consecration from the primate, when it might lawfully be given by other bishops. James, instead of enforcing the authority of his own decision as head of the church, conceded the point, and the consecration was performed accordingly by five bishops. Subsequently however Abbot was permitted to consecrate many bishops, and Laud himself on one occasion thought proper to join him in imposition of hands. In the narrative of this transaction, it is impossible not to be struck with the primitive simplicity and manly sense of Andrews bishop of Winchester, contrasted with the scholastic subtilities, concealed malice and crooked politics, of Laud and Williams. It will be useful to contemplate more closely

closely this truly venerable model of a protestant of Elizabeth's rather than of James's days.

Lancelot Andrews was born in the city of London in 1555, under the reign of queen Mary. His parents were honest and religious; his father, born of an ancient family in Suffolk, after passing most of his life at sea, had attained the creditable and comfortable situation of master of the Trinity house. From his childhood Lancelot displayed an uncommon love of learning and a natural seriousness which rendered him indifferent to the usual diversions and exercises of his age. His proficiency in his Greek and Hebrew studies at Merchant-taylors' school recommended him to the notice of Dr. Watts, residentiary of St. Paul's, who bestowed on him one of the scholarships which he had recently founded at Pembroke Hall, Cambridge. After taking his degree of bachelor of arts, a fellowship was speedily, and with much honor, conferred upon him; and commencing his studies in divinity, his great abilities and unwearied application ensured his proficiency in that branch of science. He was chosen catechist in his college, and after a time, his fame spreading, he became known as a great adept in cases of conscience, and was much resorted to in that capacity. Henry earl of Huntingdon, a noted patron of the stricter class of divines, now engaged him to attend him into the north, where he was lord-president, and in this situation Andrews had the satisfaction of converting several recusants, priests as well as laymen. Secretary Walsingham

next took notice of his merit, presented him to the living of Cripplegate, and afterwards added other preferments.

His next step was that of chaplain in ordinary to queen Elizabeth, who, much approving his preaching, his grave deportment and his single life, made him first prebendary, and shortly before her death dean, of Westminster. In this situation, which imposed upon him the superintendence of Westminster school, his conduct was a model certainly unsurpassed, and probably unequalled, by any of his successors. Dr. Hacket informs us, that when Williams was preferred to the same office, having heard what pains Dr. Andrews had taken to train up the youth on that foundation, he sent for himself from Cambridge to give him fuller information; and he thus details the merits of the friend and instructor of his youth in language warm with gratitude:

"I told him how strict that excellent man was, to charge our masters that they should give us lessons out of none but the most classical authors; that he did often supply the place both of head schoolmaster and usher for the space of an whole week together, and gave us not an hour of loitering-time from morning to night. How he caused our exercises in prose and verse to be brought to him to examine our style and proficiency. That he never walked to Chiswick for his recreation without a brace of this young fry; and in that way-faring leisure had a singular dexterity to fill those narrow vessels

vessels with a funnel. And, which was the greatest burden of his toil, sometimes thrice in a week, sometimes oftener, he sent for the uppermost scholars to his lodgings at night, and kept them with him from eight till eleven, unfolding to them the best rudiments of the Greek tongue and the elements of the Hebrew grammar; and all this he did to boys without any compulsion of correction; nay, I never heard him utter so much as a word of austerity among us.

"Alas! this is but an ivy leaf crept into the laurel of his immortal garland. This is that Andrews the ointment of whose name is sweeter than spices. This is that celebrated bishop of Winton, whose learning king James admired above all his chaplains; and that king, being of most excellent parts himself, could the better discover what was eminent in another. Indeed he was the most apostolical and primitive-like divine, in my opinion, that wore a rochet in his age; of a most venerable gravity, and yet most sweet in all commerce; the most devout that ever I saw when he appeared before God; of such a growth in all kind of learning, that very able clerks were of low stature to him:.... full of alms and charity; of which none knew but his father in secret: a certain patron to scholars of fame and ability, and chiefly to those that never expected it. In the pulpit, a Homer among preachers.... I am transported even as in a rapture to make this digression: For who could come near the shrine of such a saint, and not offer up a few grains of glory upon it? Or how durst I omit it? For he was the first that planted

me

me in my tender studies, and watered them continually with his bounty[a]."

In reference to the walks of this good dean to Chiswick with the schoolboys for his companions, so affectionately commemorated by Hacket, it may be mentioned from another source, that from his youth upwards his favorite if not his only relaxation had been walking, either by himself or with some chosen companions; "with whom he might confer and argue and recount their studies: and he would often profess, that to observe the grass, herbs, corn, trees, cattle, earth, waters, heavens, any of the creatures, and to contemplate their natures, orders, qualities, virtues, uses, was ever to him the greatest mirth, content and recreation that could be: and this he held to his dying day[b]."

Doubtless, with so constant a love of the appearances of external nature acting upon his pious and contemplative mind, this excellent instructor embraced these opportunities of teaching his young disciples to look up through the medium of a beautiful creation to its benignant author;—and happy those who are *thus* instructed to know and love their maker.

All who have made mention of this exemplary prelate agree in revering him for the virtues peculiarly fitted to his station. He was humane, hospitable, charitable to the poor, of unfailing bounty

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[a] *Life of Williams.*

[b] Fuller's *Abel redivivus*, article *Andrews.*

and

and kindness to the deserving, especially to poor scholars and divines, and munificent in his donations to learned and charitable foundations. But he had still rarer and perhaps higher merits. He was disinterested, inflexible in principle, and courageously independent. The extensive patronage which he possessed appears to have been in his hand an instrument devoutly consecrated to the advancement of religion, learning and good morals. To all promptings of self-interest, to all solicitations of men in power, he resolutely turned a deaf ear when they interfered with higher motives. It is said by his biographer, of the sins which he abhorred most were simony and sacrilege. The first of these "was so detestable to him as that for refusing to admit divers men to livings whom he suspected to be simonically preferred, he suffered much by suits of law: choosing rather to be compelled against his will to admit them by law, than voluntarily to do that which his conscience made scruple of[a]." We are further told that his dread of committing sacrilege, caused him in the time of Elizabeth to refuse successively the bishoprics of Salisbury and Ely when offered to him under the usual conditions of that time,—the alienation of church-lands in favor of laymen and courtiers. He is also said, when bishop of Winchester, to have refused several large sums of money for renewals of leases which he conceived injurious to his successors.

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[a] Fuller, *ut supra.*

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It should appear however, that in these sacrifices of worldly interest, Andrews was rather influenced by a nice sense of professional integrity and worldly honor than by any superstitious opinions respecting the sacredness of church property; for Selden has mentioned him as the only bishop who thought proper to express an approbation of his "History of tythes," so much the object of alarm or horror to the clerical body at large.

The accession of James facilitated the advancement of Andrews by putting an end to that system of spoliation to which he was resolved not to become instrumental. Struck with his style of preaching, and filled with admiration at the extent and solidity of his erudition, the king spontaneously nominated him to the see of Chichester, adding a good living *in commendam,* and ordered him to write in favor of the oath of allegiance. In process of time his majesty appointed him lord almoner, translated him first to Ely, and finally to Winchester, and made him dean of the chapel royal and a privy-councillor. But even this extraordinary accumulation of benefits, acting on a mind peculiarly susceptible of the sentiments of gratitude, was unable to abase the spirit of Andrews to that servile adulation which the monarch loved, and which other dignitaries of the church paid him without scruple, though at the expense of truth, of patriotism, and sometimes even of piety.

To this effect a striking anecdote has been preserved by Waller the poet. On the day when James had

had dissolved in anger the parliament which assembled in January 1621, on account of its refusal of further supplies, Waller went to court and saw the king dine in public. Bishop Andrews, and Neil then bishop of Ely, stood behind his chair: the monarch turned to them, and, with his usual indiscretion, asked them aloud, if he might not levy money upon his subjects when he wanted it, without applying to parliament. Neil, one of the most shameless of his flatterers, replied without hesitation, "God forbid you might not! for you are the breath of our nostrils." "Well, my lord," said the king to Andrews, "and what say you?" "Sir," replied the bishop, "I am not skilled in parliamentary cases." "No put-offs, my lord," insisted the king, "answer me presently." "I think, then," replied the bishop, "that it is lawful for you to take my brother Neil's money, for he offers it." Nothing but the wit of the answer could have atoned for its courage.

Bishop Andrews was one of the few clerical members of the society of antiquaries: Bacon appears to have held him in high esteem, and addressed to him his "Dialogue on a holy war," with an interesting epistle dedicatory, in which he enters at large into his own manner of life, and details the philosophical reflections and pursuits which consoled him under adversity and disgrace. The bishop ended his honorable and exemplary career in September 1626, in his 71st year. His death was bewailed, amongst the national calamities of the time, in an animated Latin elegy from the pen of a youth whose noble mind,

mind, penetrated with that affectionate veneration for the wise and good which affords the best presage of future excellence, delighted thus to pay its pure unbidden homage to the reverend sanctity of the aged prelate. This youth was Milton, then in his eighteenth year. The concluding lines, in which he represents himself as transported in a vision to the gardens of the blessed, have been thus beautifully rendered into English by the poet of the "Task:"

.... "While I that splendor, and the mingled shade
Of fruitful vines, with wonder fixt survey'd,
At once, with looks that beamed celestial grace,
The seer of Winton stood before my face.
His snowy vesture's hem descending low
His golden sandals swept, and pure as snow
New-fallen shone the mitre on his brow.
Where'er he trod, a tremulous sweet sound
Of gladness shook the flowery fields around:
Attendant angels clap their starry wings,
The trumpet shakes the sky, all æther rings,
Each chaunts his welcome, folds him to his breast,
And thus a sweeter voice than all the rest:
'Ascend, my son! thy father's kingdom share!
My son! henceforth be freed from every care!'
So spake the voice, and at its tender close
With psaltry's sound th' angelic band arose.
The night retired, and chased by dawning day
The visionary bliss pass'd all away.
I mourn'd my banish'd sleep with fond concern;
Frequent to me may dreams like these return."

CHAPTER

CHAPTER XXII.

1621, 1622.

Parliament assembled.—Speech of the lord-keeper.—Lord Digby's account of his negotiations.—Petition and remonstrance of the commons.—The king's letter to the speaker.—Reply of the commons.—The king's rejoinder.—His reception of a committee of the house.—Conciliatory advice of the lord-keeper neglected by the king.—Notice of adjournment delivered by the prince of Wales.—Protestation entered by the house on its journals.—Imprisonment of Philips, Selden, Pym and Mallory.—Other members sent to Ireland.—Attempts to ruin sir Edward Coke.—Sir John Savile bought over by the court.—Liberation of Selden.—Committal of the earls of Southampton and Oxford.—Lord Spencer and others reprimanded.—Remonstrance against the creation of Scotch and Irish peers.—Menacing words of the king to the earl of Essex.—A benevolence extorted.—Freedom of speech restrained.—Caricatures of king James.—General liberation of prisoners for recusancy.—Restraints laid on preachers.—Anecdote of the lord-keeper.

KING James's reluctance to call the parliament again into activity had appeared by his directing it to be further adjourned from November 1621 to the February following; but the return of lord Digby at this juncture from an unsuccessful embassy undertaken in behalf of the palatine, seemed to render an immediate declaration of war against the house of Austria inevitable, and parliament was therefore

again summoned to meet for dispatch of business in November.

In the absence of the king, for which illness was the plea, the lord-keeper addressed the two houses: he claimed extraordinary praise for the gracious care of his majesty over the nation since the last recess, in giving favorable answers to several petitions touching trade; in importing bullion and prohibiting the exportation of iron ordnance; and moreover, in reforming by proclamation six- or seven-and-thirty patents complained of as grievances: and all this "without the least trucking or merchandizing with the people; a thing unusual in former times."

Having made the most of this part of his case, the orator proceeded to remind the lower house of its pledge to assist his majesty in carrying on war for the recovery of the hereditary dominions of the palatine; he stated that his majesty had "heroically" sent forty thousand pounds of his own to keep together the army of count Mansfeldt in the Lower Palatinate, and urged the necessity of speedy supplies of money from parliament to prevent it from disbanding.

Lord Digby then gave, by his majesty's command, a narrative of his own unsuccessful negotiations in Germany; they had failed simply because the duke of Bavaria, having possessed himself of the whole of the Palatinate except a few garrisoned towns, and being authorised by the emperor to hold it as his own, did not think proper to relinquish his prey at the mere request of the king of Great Britain, who

who had no equivalent to offer him. It even appeared that this prince had treated with something very much resembling ridicule the efforts of the ambassador to procure his consent to a truce, of which the beaten party would have reaped the sole advantage.

To these gracious communications a vote of supply was the expected return; but a well-founded disdain of the trifling and temporising conduct of the king, and distrust of his further intentions, checked the feelings of the house; and they resolved first to try the spirit of the king by a petition and remonstrance setting forth the causes of the public dissatisfaction then prevailing, and pointing out the remedies. The presentation of this remonstrance proved the most important political event in the reign of James; it was the signal and commencement of that open discord between king and parliament which involved in its results both the fate of the Stuarts and the higher destinies of England itself; and it will be necessary to examine with attention a document so important.

The preamble states the case of the commons as follows:

"We.....in all humble manner calling to mind your gracious answer to our former petition concerning religion, which, notwithstanding your majesty's pious and princely intentions, hath not produced that good effect which the danger of these times doth seem to us to require: and finding how ill your majesty's goodness hath been requited by princes

of different religion, who, even in time of treaty, have taken opportunity to advance their own ends, tending to the subversion of religion and disadvantage of your affairs and the estate of your children: by reason whereof, your ill-affected subjects at home, the popish recusants, have taken too much encouragement, and are dangerously increased in their number and their insolencies: we cannot but be sensible thereof, and therefore humbly represent what we conceive to be the causes of so great and growing mischiefs, and what be the remedies."

The causes are thus enumerated:

"The vigilancy and ambition of the pope of Rome and his dearest son, the one aiming at as large a temporal monarchy as the other at a spiritual supremacy.

"The devilish positions and doctrines whereon popery is built, and taught with authority to their followers, for advancement of their temporal ends.

"The distressed and miserable estate of the professors of true religion in foreign parts.

"The disastrous accidents to your majesty's children abroad, expressed with rejoicing, and even with contempt of their persons.

"The strange confederacy of the princes of the popish religion, aiming mainly at the advancement of theirs and subverting of ours, and taking the advantages conducing to that end upon all occasions.

"The great and many armies raised and maintained at the charge of the king of Spain, the chief of that league.

"The

"The expectation of the popish recusants of the match with Spain, and feeding themselves with great hopes of the consequences thereof.

"The interposing of foreign princes and their agents in the behalf of popish recusants, for countenance and favor unto them.

"Their open and usual resort to the houses, and, which is worse, to the chapels, of foreign ambassadors.

"Their more than usual concourse to the city, and their frequent conventicles and conferences there.

"The education of their children in many several seminaries and houses of their religion in foreign parts, appropriated to the English fugitives.

"The grants of their just forfeitures, intended by your majesty as a reward of service to the grantees; but beyond your majesty's intention transferred, or compounded for, at such mean rates as will amount to little less than a toleration.

"The licentious printing and dispersing of popish and seditious books, even in the time of parliament.

"The swarms of priests and jesuits, the common incendiaries of all Christendom, dispersed in all parts of your kingdom."

The remedies proposed are chiefly these:

"That seeing this inevitable necessity is fallen upon your majesty, which no wisdom or providence of a peaceable and pious king can avoid, your majesty would not omit this just occasion speedily and effectually to take your sword in your hand.

"That

"That once undertaken upon so honorable and just grounds, your majesty would resolve to pursue and more publicly avow the aiding of those of our religion in foreign parts, which doubtless would reunite the princes and states of the union, by these disasters disheartened and disbanded.

"That your majesty would propose to yourself to manage this war with the best advantage, by a diversion or otherwise, as in your deep judgement shall be found fittest, and not to rest upon a war in these parts only, which will consume your treasure and discourage your people.

"That the bent of this war, and the point of your sword, may be against that prince, whatsoever opinion of potency he hath, whose armies and treasures have first diverted and since maintained the war in the Palatinate.

"That for securing of our peace at home, your majesty would be pleased to review the parts of our petition formerly delivered unto your majesty, and hereunto annexed, and to put in execution, by the care of choice commissioners to be thereunto specially appointed, the laws already and hereafter to be made for preventing of dangers by popish recusants and their wonted evasions.

"That, to frustrate their hopes for a future age, our most noble prince may be timely and happily married to one of our own religion."

Some following articles provide for the domestic and protestant education of the children of recusants, and for the forfeiture of the estates of these persons:

persons: "This," it is added, "is the sum and effect of our humble declaration, which we (no ways intending to press upon your majesty's undoubted and regal prerogative) do with the fulness of our duty and allegiance humbly submit to your most princely consideration: the glory of God, whose cause it is; the zeal of our true religion, in which we have been born, and wherein by God's grace we are resolved to die; the safety of your majesty's person, who is the very life of your people; the happiness of your children and posterity; the honor and good of the church and state, dearer unto us than our own lives, having kindled these affections truly devoted to your majesty."

The commons conclude by making known, that it is the intention of the house to give at the end of the session one entire subsidy, when they hope that his majesty will vouchsafe his royal assent to such bills as they shall have prepared for the general good; and that he would also be pleased to grant, as was usual at the end of a session, a general pardon; and that it might extend not only to criminals but to old debtors of the crown before the king's accession, and to persons endangered on account of omissions or evasions of some of the burdensome forms belonging to wardship and the suing out of liveries; "which gracious favor," it was added, "would much comfort your good subjects, and free them from vexation with little loss or prejudice to your own profit[a]."

[a] Rushworth's *Collections*, vol. i. p. 40.

This

This remonstrance, it must be confessed, was fitted to disconcert all the projects of James: it penetrated without reserve into the deepest recesses of those state mysteries which he held so dear and so sacred: it proclaimed the futility of those elaborate negotiations in which he had exposed himself to become the dupe of Spain and the laughing-stock of Europe: it warned him that his arbitrary suspension of laws enacted by the wisdom of the legislature for the security of church and state, was felt by the people and its representatives as an encroachment and an injury; and the blandishments which he lavished on foreign and domestic enemies, as an insult: it taught him, that the darling project of alliance which had prompted all these sacrifices of dignity and of principle was contemplated with abhorrence;—and, above all, that the purses of the English people would never be opened to him but in the cause of protestantism and the liberties of Germany against the great catholic league, the emperor, and, especially, the king of Spain.

Surprised, indignant and alarmed, James eagerly sought some means of diverting this meditated attack on his pride and his feelings; and overlooking in his agitation the strange irregularity of such a proceeding, he addressed to the speaker of the house of commons the following rash and arrogant letter:

"Mr. Speaker,

"We have heard by divers reports to our great grief that our distance from the houses of parliament,

ment, caused by our indisposition of health, hath emboldened some fiery and popular spirits of some of the house of commons, to argue and debate publicly of the matters, far above their reach and capacity, tending to our high dishonor and breach of the prerogative royal.

"These are therefore to command you to make known, in our name, unto the house, that none therein shall presume henceforth to meddle with any thing concerning our government, or deep matters of state, and namely not to deal with our dearest son's match with the daughter of Spain, nor to touch the honor of that king, or any other our friends and confederates: and also not to meddle with any man's particulars which have their due motion in our ordinary courts of justice.

"And whereas we hear they have sent a message to sir Edward Sandys, to know the reasons of his late restraint, you shall in our name resolve them, that it was not for any misdemeanor of his in parliament; but to put them out of doubt of any question of that nature that may arise among them hereafter, you shall resolve them in our name, that we think ourself very free and able to punish any man's misdemeanors in parliament as well during their sitting as after: which we mean not to spare hereafter, upon any occasion of any man's insolent behaviour there that shall be ministred unto us: and if they have already touched any of these points, which we have forbidden, in any petition of theirs, which is to be sent unto us, it is our pleasure that you

you shall tell them, that, except they reform it before it come to our hands, we will not deign the hearing nor answering of it.

"*Dated at Newmarket, 3d Dec.* 1621."

The reply transmitted in the name of the house of commons was firm and vigorous. In this piece they begin by professing their sorrow at the displeasure shown by his majesty's letter to the speaker; but they take comfort to themselves in the assurance of his grace and goodness, and of their own faithfulness and loyalty. They entreat that their good intentions "may not undeservedly suffer by the misinformation of partial and uncertain reports, which are ever unfaithful intelligencers;" but that his majesty would vouchsafe to understand from themselves, and not from others, what their humble petition and declaration, resolved upon by the universal voice of the house, did contain: they also beseech, that his majesty would not henceforth give credit to private reports against all or any of the members of that house, on whom they themselves should not have inflicted a censure, but that in the mean time they might "stand upright" in his royal judgement.

Adverting then to the cause of their assembling in parliament, and to the particulars of information laid before them by his majesty's command, they infer that they "were called to a war," and certainly with the king of Spain, who had five armies on foot, and who was known to have occupied the Lower Palatinate; and they take credit for the unpre-

unprecedented celerity and alacrity with which their zeal for his majesty and his posterity had prompted them to proceed in voting the necessary supplies and considering of the mode of conducting hostilities.

They add, that although they cannot conceive that the honor and safety of his majesty and his posterity, the patrimony of his children invaded and possessed by their enemies, the welfare of religion, and the state of the kingdom, are matters at any time unfit for their deepest consideration in time of parliament,—yet that at this time they were clearly invited to it; and the mention of popish recusants, and whatever they had said touching the honor of the king of Spain,—in which, however, they contend that they had observed due bounds,—had necessarily arisen out of the subject.

They disclaim all intention of invading his majesty's undoubted prerogative in disposing of his son in marriage; but they maintain, that as the representatives of the whole commons of England, who have a large interest in the prosperity of the king and royal family, and of the state and commonwealth, it became them to offer their opinion respecting this matter.

On these considerations, they hope that his majesty will now be pleased to receive their petition and declaration at the hands of their messengers, to read and favorably to interpret it; and to give answer to as much of it as relates to popish priests and recusants, to the passing of bills, and to pardons.

The

The following emphatic protest concludes the piece:—"And whereas your majesty doth seem to abridge us of the ancient liberty of parliament for freedom of speech, jurisdiction and just liberty of the house, and other proceedings there (wherein we trust in God we shall never transgress the bounds of loyal and dutiful subjects), a liberty which we assure ourselves so wise and so just a king will not infringe, the same being our ancient and undoubted right, and an inheritance received from our ancestors; without which we cannot freely debate nor clearly discern of things in question before us, nor truly inform your majesty: in which we have been confirmed by your majesty's most gracious former speeches and messages: We are therefore now again enforced in all humbleness to pray your majesty to allow the same, and thereby to take away the doubts and scruples your majesty's late letter to our speaker hath wrought upon us[a]."

This reply produced from the king a very long, very violent and very unbecoming rejoinder; of which the following are the most characteristic passages:

He begins by observing, that he must apply the words used by queen Elizabeth in answer to an insolent proposition made by a Polonian ambassador: "We looked for an ambassador; we have received a herald." (That is, a messenger of war.) He had expected a message from the house of thanksgiving for his continued gracious behaviour towards his

[a] Rushworth, vol. i. p. 44.

people

people since the last recess, in putting down by proclamation six- or seven-and-thirty patents;—in his cares for the good government of Ireland, recommended to his attention by parliament; and in other "points of grace," which he enumerates. "But not only have we heard no news of all this, but contrary, great complaints of the danger of religion within this kingdom, tacitly implying our ill government in this point. And we leave you to judge whether it be your duties, that are the representative body of our people, so to distaste them with our government; whereas, by the contrary, it is your duty, with all your endeavours, to kindle more and more a dutiful and thankful love in the people's hearts towards us, for our just and gracious government."

With respect to their taxing him "of trusting" uncertain reports and partial informations, he says, "We wish you to remember that we are an old and experienced king, needing no such lessons, being in our conscience freest of any king alive from hearing or trusting idle reports;" and as to their petition in particular, he adds, that he had made their own messengers compare the copy of it which they brought with that which he had received before, which corresponded exactly, excepting a concluding sentence added by them afterwards. So little, apparently, was this king aware that the disrespect to the house implied in the neglect of official forms, formed in itself a ground of just complaint!

He also tells them, that if, in ignorance of the contents

tents of their petition, he had received it, to his own great dishonor, he could have returned nothing to their messengers but that he judged it unlawful and unworthy of an answer. "For, as to your conclusion thereof, it is nothing but *protestatio contraria facto*; for in the body of your petition you usurp upon our prerogative royal, and meddle with things far above your reach, and then, in the conclusion, you protest the contrary; as if a robber would take a man's purse and then protest he meant not to rob him."

His majesty denies that the communications made by him to the house could in any manner authorise their proceedings. He had indeed made known that he was resolved by war to regain the Palatinate, if otherwise he could not; and had invited them to advise upon a supply for keeping the forces there from disbanding, and raising an army in the spring. "Now what inference can be made upon this, that therefore we must presently denounce war against the king of Spain, break our dearest son's match, and match him to one of our religion, let the world judge. The difference is no greater than if we would tell a merchant, that we had great need to borrow money from him for raising an army; that thereupon it would follow that we were bound to follow his advice in the direction of the war and all things depending thereupon. But yet, not contenting yourselves with this excuse of yours, which indeed cannot hold water, you come after to a direct contradiction.... saying, that the honor and safety

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of us and our posterity, and the patrimony of our children, invaded and possessed by their enemies, the welfare of religion, and state of our kingdom, are matters at any time not unfit for your deepest considerations in parliament. To this generality we answer with the logicians, that where all things are contained nothing is omitted. So as this plenipotency of yours invests you with all power upon earth, lacking nothing but the pope's, to have the keys also both of heaven and purgatory. And to this vast generality of yours we can give no other answer; for it will trouble all the best lawyers in the house to make a good commentary upon it. For so did the puritan ministers in Scotland bring all kind of causes within the compass of their jurisdiction, saying, that it was the church's office to judge of slander; and there could be no kind of crime or fault committed but there was a slander in it, either against God, the king, or their neighbour:.... Or like Bellarmine's distinction of the pope's power over kings, *in ordine ad spiritualia*, whereby he gives them all temporal jurisdiction over them."

With respect to the war for which, as the king observes, the parliament was so eager, he professes in general terms that he will suffer no consideration, not even the marriage of his son, to interfere with the restitution of the Palatinate, and boasts, that by his intervention with the king of Spain and the archduchess in Flanders, he had already preserved it from further conquest for a whole year. "But," he adds, "because we conceive that ye couple this war

of

of the Palatinate with the cause of religion, we must a little unfold your eyes therein :" And he proceeds, contrary certainly to historic truth, to lay the whole blame of the war of Bohemia, and the consequent oppression of the protestants in Germany, on the ambition of his son-in-law, and his unjust usurpation of the crown of another.

He severely reprimands the parliament for the terms in which the king of Spain and his inordinate ambition are spoken of in their petition; omitting "the particular ejaculations of some foul-mouthed orators in your house, against the honor of that king's crown and state." Respecting the prince's marriage,—he is indignant that the house should not place so much confidence in his religion and wisdom as to rely on the declaration, which he now repeats, that religion shall receive no injury by it; and he makes known, that he is already too much advanced in the treaty to retract with honor. After much more objurgatory language, respecting what he treats as their unpardonable presumption, quoting the uncivil Latin proverb, "Let not the shoemaker go beyond his last;" he condescends, ungraciously enough, to explain away in some degree his general prohibition of their meddling with matters of government and mysteries of state, accusing them, at the same time, of misplacing and misjudging his sentences in a manner that any scholar, in interpreting another man's book, would be ashamed of. And thus he concludes:

"And although we cannot allow of the style calling

ing it your ancient and undoubted right and inheritance; but could rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors and us;—for most of them grow from precedents, which shows rather a toleration than inheritance:—Yet, we are pleased to give you our royal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties and privileges as ever any of our predecessors were; nay, as to preserve our own royal prerogative. So as your house shall only have need to beware to trench upon the prerogative of the crown; which would enforce us, or any just king, to retrench them of their privileges that would pare his prerogative and flowers of the crown. But of this we hope there shall never be cause given[a]."

King James is said by Osborn to have had the infirmity, common to all "passionate men who abound in fear," of carrying "a traitor in his face," by which, on all occasions when his ruling passions were awakened, his thoughts were discovered to every spectator;—it seems that in these circumstances he had no more command of his words than of his looks. As if the answer which he intended to deliver were not in itself sufficiently bitter, he is reported to have received the committee of the house of commons which attended him at Newmarket with

[a] Rushworth, vol. i. p. 46.

the petition and remonstrance, with a taunt not to be forgotten. "Chairs!" he cried as they entered the presence-chamber, "Chairs! here are twelve kings coming to me!" The obvious policy of forbearing to exasperate those whom there is no certainty of intimidating, appears to have been regarded by this master of king-craft as beneath his notice; but the lord-keeper better understood its importance: he perceived with alarm the perplexities in which his master was thus heedlessly entangling himself; and before the king's letter had been dispatched, he hastened to convey to the marquis of Buckingham the following hint of the means by which the royal indiscretion might yet be repaired. ...."His majesty's last letter, though never so full of honey, as I find by passages reported out of the same, *being as yet not so happy as to have a sight thereof,* hath notwithstanding afforded those spiders that infest that noble house of commons, some poison, and ill constructions to feed upon, and to induce a new diversion or plain cessation of weightier businesses. His majesty infers, and that most truly, for where were the commons before Henry I. gave them authority to meet in parliament? that their privileges are the graces and favors of former kings, which they claim to be their inheritance and natural birthrights. Both these assertions, if men were peaceably disposed and affected the dispatch of common businesses, might be easily reconciled.

"These privileges were originally the favors of princes, and are now inherent in their persons: Nor

Nor doth his majesty go about to impair or diminish them. If his majesty will be pleased to qualify that passage with some mild and noble exposition, and require them strictly to prepare all things for a session, and to leave this needless dispute, his majesty shall thereby make it appear to all wise and just men that these persons are opposite to those common ends whereof they vaunt themselves the only patrons[a]."

The advice was neglected: the letter was transmitted to the house of commons in its original state; and in spite of a subsequent letter of explanation from the king to secretary Calvert, it produced all the ill-effects which the lord-keeper anticipated. The house, finding the king inflexibly resolved not to declare war against Spain nor yet to give up the marriage with the infanta, and being itself equally determined to grant him a subsidy on no other conditions,—in which it had the full support of popular sentiment,—was precisely in the temper and circumstances best fitted to enter upon the question of privileges warmly and courageously,—to repel aggression, to assert its rights, and even, if necessary, to oppose pretension to pretension.

The delivery of the king's letter had been closely followed by a notice of adjournment till the ensuing February, which was communicated by the prince of Wales to the clerk of the house. But there was still time to strike a blow; and at a late hour, and

[a] *Cabala*, p. 65.

it is said in a thin house,—the court party having probably withdrawn themselves,—the following memorable protestation was entered upon the journals:

"The commons now assembled in parliament, being justly occasioned thereunto, concerning sundry liberties, franchises and privileges of parliament, ...do make this protestation following:

"That the liberties, franchises, privileges and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the people of England; And that the arduous and urgent affairs concerning the king, state and defence of the realm and of the church of England, and the maintenance and making of laws, and redress of mischiefs and grievances which daily happen within this realm, are proper subjects and matter of council and debate in parliament; And that in the handling and proceeding of those businesses, every member of the house of parliament hath, and of right ought to have, freedom of speech, to propound, treat, reason and bring to conclusion the same; And that the commons in parliament have like liberty and freedom to treat of these matters in such order as in their judgements shall seem fittest; And that every member of the said house hath like freedom from all impeachment, imprisonment and molestation (other than by censure of the house itself) for or concerning any speaking or reasoning, or declaring of any matter or matters touching the parliament, or parliament business; And that if any of the said members be complained

plained of and questioned for any thing done or said in parliament, the same is to be showed to the king by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information[a]."

No sooner did intelligence of this act reach the king, than, hurrying up to London from Newmarket, he hastily assembled around him at Whitehall the privy-council and such of the judges, six in number, as were then on the spot, and sending for the clerk of the house of commons, and commanding him to produce his journal book, he with his own hand tore out the protestation, and ordered the deed to be registered by an act of council.

After this explosion, the reassembling of the parliament was not to be thought of; and it was dissolved a week afterwards by a proclamation, in which the king assigned as the motive of this measure, the inordinate liberty assumed by some members of the house, "evil-tempered spirits," who "sowed tares among the corn." He concluded however by the assurance, that he meant to govern well, and would gladly lay hold on the first occasion to summon a new parliament.

His majesty's new plan of good government was quickly unfolded. Of the members who had been most active in drawing up the petitions and the protestation so offensive to the sovereign, sir Robert Philips was committed to the Tower, and Selden,

[a] Rushworth, vol. i. p. 53.

Pym

Pym and Mallory to other custody: sir Dudley Digges, sir Thomas Crew, sir Nathaniel Rich and sir James Perrot, also supporters of popular rights, with sir Edwin Sandys, illegally imprisoned for his conduct in the former sessions, were sent against their will to execute a commission in Ireland, purposely contrived as a mode of driving into banishment obnoxious patriots. On sir Edward Coke the storm of royal indignation fell with still greater fury.

Sir Edward had been a member of the last parliament, in which his great experience, his rank and consequence, and his profound knowledge of the constitution, necessarily rendered him a leader; and neither his family connexion with Buckingham, nor the anxiety which a man fond of power must have felt to preserve that court-favor the restoration of which he had purchased so dearly, had restrained him from performing the duty of an Englishman. He had spoken warmly on the trying topics of liberty of speech, the increase of popery and other grievances: he had also taken occasion to declare the invalidity of proclamations opposed to the tenor of acts of parliament; and he had called the royal prerogative "a great over-grown monster." For these misdemeanors, he was committed close prisoner to the Tower, his children and servants being denied access to him in the king's own name; he was again struck off the list of privy-councillors; the doors and locks of his house and chambers were sealed up; his papers were seized, not excepting his securities for money; and, to complete his ruin,

vexatious

vexatious prosecutions were instituted against him while thus a prisoner and deprived of the means of providing for his defence.

A plot had been formed some time before, originating with Bacon, for bringing Coke before the star-chamber, on account, or on pretext, of his having, on the trial of the earl of Somerset, suppressed some true examinations and brought forward some false ones: but this charge, which seems to have called forth the indignation of the parliament, it had been found expedient to abandon, and he was now sued by his majesty in the king's-bench for the sum of 30,000*l.*, an old debt pretended to be due from sir William Hatton, lady Coke's first husband, to queen Elizabeth; "And this," writes Roger Coke his grandson, "was prosecuted by sir Henry Yelverton with all severity imaginable: but herein the king's counsel were not all of one piece, for when a brief against sir Edward was brought to sir John Walter (I think) then attorney-general, he returned it again with this expression, 'Let my tongue cleave to the roof of my mouth whenever I open it against sir Edward Coke;' however, after the trial the verdict was against the king[a]."

On the failure of these modes of attack, it was intended to unite him to his brother exiles in Ireland, and his name was joined with those of other commissioners empowered in very general terms to report on the state of the Irish church, and to inquire into grievances and abuses in that country.

[a] Coke's *Detection*, p. 105.

The

The legal researches of Coke had taught him, that the popular notion, on which the government had lately thought proper to act, of the right of the king arbitrarily to command the services of any one of his subjects on such public duty as he should think fit, or to imprison him in case of refusal, was founded on nothing but error or tyrannical usurpation, and he took care to promulgate his sentiments on the subject. On further reflection, however, he did not, in his own case, persist in availing himself of this defence; on the contrary, he made known his entire willingness to accept the offered appointment; hoping, apparently, to perform some acceptable service either to the king, whose favor he was unwilling utterly to renounce, or to the people; and trusting, as he said to his acquaintance, that he should find Mompessons there to be brought to justice. But this was a result of the inquiries of so scrutinizing an investigator which the courtiers regarded as so much more to be expected than desired, that, on the whole, it was judged more expedient to dispense with the service which sir Edward had evinced so much alacrity to undertake.

He had already been liberated; and thus ended for the present the schemes of vengeance against a man of whom James himself had once observed, that, toss him which way you would, he would always light, like a cat, on his legs.

A different method was adopted for overcoming the active and able opposition of sir John Savile, one of the knights of the shire for York. This gentleman,

gentleman, who had gained in the former parliament the character of a popular martyr, had stood a poll against the combined interests of secretary Calvert and sir Thomas Wentworth,—afterwards the celebrated earl of Strafford,—and succeeded in throwing out the secretary. A letter addressed by Wentworth to Calvert during the contest throws light at once on the proceedings of Savile, and on the means sometimes employed by the court in that age for insuring the election of favored candidates: ....."I find the gentlemen of these parts generally ready to do you service. Sir Thomas Fairfax stirs not, but sir John Savile by his instruments exceeding busy, intimating to the common sort under hand that yourself, being not resiant in the county, cannot by law be chosen; and being his majesty's secretary, and a stranger, one not safe to be trusted by the county; but all this, according to his manner, so closely and cunningly as if he had no part therein; neither doth he as yet further declare himself than only that he will be at York the day of the election, and thus, finding he cannot work them from me, labors only to supplant you.....I have heard, that when sir Francis Darcy opposed sir Thomas Lake in a matter of like nature, the lords of the council writ to sir Francis to desist. I know my lord chancellor is very sensible of you in this business; a word to him, and such a letter would make an end of all[a]."

Why the lords of the council did not interpose in the manner here suggested we are not informed;

[a] The earl of Strafford's *Letters and dispatches*, vol. i. p. 10.

but

but they had probably already pitched upon the Yorkshire member as the subject of an experiment in the new art of parliamentary corruption: admission to the privy-council, the office of comptroller of the household and a peerage, formed the price at which his patriotism, or rather perhaps his opposition, was found marketable.

Of the members who had been imprisoned, Selden was treated with most lenity and soonest obtained his liberation. The custody to which he was committed was that of the sheriff of London, who entertained him in his house with great civility, and granted him the indulgence which he valued more than any other, permission to make use of some of his own books. Whilst in this situation, he made application to the lord-keeper,—that zealous friend of the learned,—for his good offices in procuring his release; and to Williams's intercession with Buckingham, coming in aid of his own somewhat disingenuous disclaimer of having ever given the least approbation to "the power and judicature lately usurped by the house of commons," he seems to have owed the distinction made in his favor. After a restraint of five weeks he was summoned before some members of the privy-council, who showed a disposition to ensnare him by certain captious questions respecting the jurisdiction of parliament; but the worthy bishop of Winchester afforded him his protection, and he was then dismissed on his petition; as were all his fellow-sufferers, after a longer or shorter period of imprisonment.

Nor

Nor did the members of the upper house escape some marks of the royal displeasure: the committal of the earl of Southampton has been mentioned; the earl of Oxford, for words spoken in a private company reflecting on the king and government, was imprisoned in the Tower; and lord Spencer and several others received reprimands on the following occasion:

The nobility of England, and particularly the barons, had ever since the accession of James borne with some uneasiness the intrusion of the Scotch nobility, who, maintaining that the two nations had now become one, claimed to take precedence among the peers of the realm according to the dates of their creation. But the grievance became much more flagrant when the king and his courtiers, among their devices for raising money, had hit upon the expedient of selling Scotch and Irish peerages to such persons as were found willing to purchase them; Englishmen by birth, of obscure families, for the most part of little consequence, and totally unconnected with the countries from which they derived their titles. At length, during the sitting of parliament in the year 1621, it was determined no longer to endure this injury in silence; and a firm but respectful representation addressed to the king, was drawn up and obtained the signatures of thirty-three peers. In this number all the opposition, or country party, were included,—a circumstance which doubtless aggravated the displeasure of his majesty on the occasion. A previous intimation of what was designed prevented

prevented the alarm which the unexpected attendance of such a troop of noblemen might have excited in the royal breast; and "being prepared for it," says the historian, "he mustered up his spirits, thinking it too great an abasement for majesty to stoop at their summons, being so public an action, or to lessen or recall what he had done. Yet he was troubled, not knowing what quarrels the struggle for place and precedency might produce; or what ill-blood the discontent of so many of the nobility at one time might engender: therefore he sent for them all, or the most eminent and leading men of them, some days after, and expostulated the business with them one by one, in private, knowing he could deal best with them so; beginning with some of them roughly, yet still he closed with them at last; his anger being, as it were, raised to make them humble and reconcile themselves to him, that he might the better reconcile himself to them. And to the earl of Essex he vented this expression; 'I fear thee not, Essex, if thou wert as well beloved as thy father, and hadst forty thousand men at thy heels.' Which words he uttered as if he had chid himself that they made an escape from him. And though this petition did not derogate from the dignity of those creations past, yet the king willingly restrained himself for the time to come[a]." That is to say, he promised to restrain himself; but many more of these Irish peers were afterwards created, both by James and by his successor.

[a] Wilson, p. 188.

The

The strange words of defiance thrown out by the king against Essex,—which some, when they afterwards saw that nobleman at the head of the parliament's army, regarded as spoken in the spirit of prophecy,—tended to their own accomplishment by aggravating the well-founded disgust of the earl, and sending him in the following year to improve his military experience in the service of Holland. Similar motives, added to a vehement hatred of the Spaniards, between whom and the United Provinces hostilities had recommenced, carried thither also the gallant earl of Oxford; who, in his first campaign, was numbered among the victims of fatigue and of the climate.

"In all times," says Selden in his Table talk, "the princes in England have done something illegal to get money; but then came a parliament and all was well; the people and the prince kissed and were friends, and so things were quiet for a while: afterwards there was another trick found out to get money, and after they had got it, another parliament was called to set all to rights." But there had now been a departure from this ancient routine: the king and the parliament had not parted friends; money had been refused to the monarch in the regular way, because he had attempted to raise it on the false pretence of a war which he clearly never intended to wage, in order to squander it on favorites and to carry on a system of policy odious to the nation. He had lost all the merit of the abolition of the monopolies by an ill-timed display of arbitrary principles;

ciples; and the dismissal of the parliament was immediately succeeded by a project for raising money by the illegal mode of a benevolence, more than once put in practice by James himself on former occasions with some success. Letters from the privy-council were directed to the judges, to the high-sheriffs, and to the mayors, bailiffs and justices of peace all over the country, stating the necessity of an immediate levy of money to maintain a war for the recovery of the Palatinate, urging these functionaries to subscribe liberally themselves, and to enjoin the same upon all persons within their sphere of influence, and concluding with the direction, that if any should, "out of obstinacy or disaffection, refuse to contribute herein proportionably to their estate and means," they should certify their names to the council-board:—a formidable advance towards the imposition of a real tax without consent of parliament.

As a necessary precaution against the spread of disaffection among the people, James now "ordered the judges on their circuits to make it an article in their charges, That the king, taking notice of the people's liberal speaking of matters far above their reach, and also of their licentious and undutiful speeches touching state and government, notwithstanding several proclamations to the contrary, was resolved no longer to pass it without the severest punishment; and they were to proceed to do exemplary justice where they should find any such offenders[a]."

[a] Coke's *Detection*, p. 105.

If

If by these menaces the king was enabled to suppress among his own subjects the natural expression of the sentiments inspired by a government which consulted so little either their rights or their feelings, it was out of his power to restrain the demonstrations of contempt and ridicule by which his character was assailed on the continent. The government of Flanders not feeling it a part of its duty to protect the honor of the good ally of the king of Spain, his Britannic majesty became the subject of public mockery in all the principal towns of the Netherlands.

In one of their comedies a messenger, entering in breathless haste, announced that the Palatinate was about to receive the most formidable succours; for the king of Denmark would contribute a hundred thousand pickled herrings, the Dutch a hundred thousand butter boxes, and the king of Great Britain a hundred thousand ambassadors. Sometimes he was depicted with a scabbard without a sword, sometimes with a sword that nobody could draw, though several were pulling at it. At Brussels they painted him with an empty purse and his pockets turned inside outwards. At Antwerp the queen of Bohemia was represented like a poor Irish mantler, with her hair hanging about her ears and a child at her back, and the king her father carrying the cradle after her. It was probably an English caricature which represented the monarch going down a pair of stairs, on every step of which was written *Peace*.

In

In the silence to which the people had now been reduced respecting the measures of government, the king, still bent on conciliating the friendship of the Spanish court, ventured on the offensive act of commanding the liberation of all persons throughout the kingdom imprisoned for any act of recusancy. The full extent of this comprehensive indulgence was thus explained to the judges by the lord-keeper in a letter accompanying the necessary writs:

....."I am to give you to understand from his majesty, how his royal pleasure is, that upon receipt of these writs, you shall make no niceness or difficulty to extend that his princely favor to all such papists as you shall find prisoners in the gaols of your circuits for any church recusancy whatsoever, or refusing the oath of supremacy, or dispersing popish books, or hearing or saying of mass, or any other point of recusancy which doth touch or concern religion only, and not matters of state[a]."

And thus, after all that the king himself had said, done and written respecting the oath of allegiance, that palladium of his state, the refusal to take it was quietly classed among points of religion unconnected with matters of state. Not the least remarkable of the political concessions of the royal theologian!

The pulpit was in this age the principal organ of public opinion; and two days after the date of the general pardon to recusants, on which it was certain that the whole Calvinistic party would com-

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[a] Fuller's *Church history*, b. x. p. 101.

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ment with extreme bitterness, the primate received the royal command to transmit to the clergy certain directions for preachers, of which the following were the heads:

That no preacher under the rank of a dean should take occasion to dwell on any topic not comprehended and warranted in essence and substance in the articles of religion and homilies.

That in the afternoons the clergy should never preach but on texts from the creed, catechism, commandments and Lord's-prayer; and that those should be most approved who confined themselves to catechising the children.

That henceforth no clergyman under the rank of a dean should preach in any popular auditory on the deep points respecting predestination, election, reprobation and grace, resistible, or irresistible.

That no preacher should treat on the prerogative, authority, or duty, of princes, or otherwise meddle in matters of state, or the differences between princes and people, than they are instructed in the homilies of obedience and the articles.

That no preacher should fall into bitter invectives or railings against the persons either of papists or puritans, but only, as occasion should offer, vindicate the doctrines of their church against either adversary.

Lastly, that the archbishops and bishops (whom his majesty had good cause to blame for former remissness) should be more choice and careful in licensing preachers, and that lecturers (a new body

severed from the ancient clergy) should only be licensed in the court of faculties at the recommendation of the bishop of the diocese, with the fiat of the archbishop of Canterbury, and a confirmation under the great seal: and that the contraveners of these regulations should incur suspension for a year and a day, until his majesty, by the advice of the next convocation, should prescribe some further punishment[a].

By these regulations the parochial clergy found themselves interdicted precisely from those topics, political and theological, on which they were heard with most attention and applause; and the lecturers,—the most popular class of preachers,—were in effect silenced.

Loud were the murmurs which ensued, and numbers of the puritanical sect chose rather, by perseverance in the forbidden course, to brave punishments under which they were supported generally by self-approbation and always by the sympathy and admiration of their zealous followers, than by a tame submission to forfeit at once their popularity, their consequence, and perhaps the testimony of their own consciences. The lord-keeper saw with uneasiness the progress of a kind of petty persecution which he deprecated as equally vexatious, impolitic and mischievous; he became the advocate and protector of many of the sufferers, and two or three pleasant stories are related by his biographer of the

[a] Fuller's *Church history*, b. x. p. 109.

ingenious

ingenious artifices by which he sometimes entrapped the king into the exercise of lenity and indulgence. One of these is told as follows:—A scholar of Oxford named Knight, who had recently taken orders, had preached a sermon in the university, in which he "delivered that which derogated much from the safety of regal majesty." The vice-chancellor informed against him to Laud, and Laud carried the report to the king. "Presently the floods lift up their voices; ruin is thundered against Knight, who had set such a beacon on fire in the face of the university." To the Gate-house he was committed a close prisoner, where he lay a great while, "macerated with fear, and want, and hard lodging." Dr. White, the same who purchased Sion College for the clergy of London, was threatened with a similar fate: as a residentiary of St. Paul's the good man, then very aged, had preached a sermon which was falsely represented to the king as of a disloyal tendency; "for he was very rich," and the informers hoped to divide his money amongst them.

Both these unfortunate divines threw themselves upon the humanity of the lord-keeper, and he resolved to exert himself to the utmost in their behalf. Going to the king with some instructions for preachers in his hand, which had been committed to him to draw up, he begged that his majesty would allow this article to be added to the rest;—that no man should preach before the age of thirty or after that of sixty. The king exclaimed that there was madness in the notion;—he had many chaplains under

thirty who preached before him at Royston and Newmarket much to his contentment; and his prelates and chaplains who were far advanced in years were the greatest masters of divinity in Europe. "I agree to all this," said the keeper; "and since your majesty will allow both young and old to go up into the pulpit, it is but justice that you show indulgence to the young ones, if they run into errors before their wits be settled, and pity to the old ones if some of them fall into dotage." He ended by begging, and not in vain, the grace of both the preachers, who "had been foolish in their several extremes of years[a]." The general course, however, of his master's policy proceeded unaltered, all whose measures at this period were directed to promote the completion of his favorite project,—the Spanish match; the negotiations for which will next engage our attention.

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[a] *Life of Williams*, p. 88.

CHAPTER

CHAPTER XXIII.

1622, 1623.

Embassy of John Digby earl of Bristol to Spain.—Account of him.—Views of Buckingham.—He persuades the prince to go to Spain;—their mode of gaining the king's consent.—The prince's journey.—Lines by Waller.—His arrival and reception at Madrid.—Correspondence of the king and Buckingham.—James required to own the pope's supremacy.—Correspondence of the prince with the pope.—Secret articles added to the treaty.—Disagreement between Buckingham and the Spanish ministry.—Desponding letter of James,—his steps in favor of recusants.—Etiquette of the Spanish court.—Articles signed.—Letter of Bristol.—Departure of the prince.—Letter of Bristol to the prince.

ON the death of Philip III. of Spain and the accession of his son Philip IV., in the spring of the year 1622, lord Digby, soon after created earl of Bristol, was sent ambassador extraordinary to that court, not only to perform the accustomed ceremonies of condolence and congratulation, but to resume with the new monarch the marriage treaty which his predecessor had contrived to lengthen out for so many years without bringing it perceptibly nearer to its accomplishment. This ambassador was a person of considerable political distinction, and the steps of his advancement in public life deserve to be traced.

John

John Digby, fourth son of sir George Digby of Coleshill in Warwickshire, was descended from the second of seven brothers of a family long distinguished for their zeal in the cause of the house of Lancaster, who all fought in Bosworth field against king Richard III.; and from the eldest of which brothers the unfortunate sir Everard Digby derived his birth. The same conspiracy which proved fatal to this gentleman, the head of the house, became, through the following circumstances, a means of advancement to the younger branch.

John Digby, after an education at Oxford, and two or three years passed in France and Italy, had returned home an accomplished gentleman of five-and-twenty. He was in Warwickshire when the gun-powder plot burst forth; and having been a witness of the insurrection attempted by the disappointed conspirators on their arrival in that county, for the purpose of seizing the person of the princess Elizabeth, lord Harrington, under whose care she was residing, pitched upon him as a fit person to post to court with tidings of the safety of the princess and the defeat of the whole design.

The very handsome exterior of the messenger, set off by a dignified and spirited demeanor, instantly caught the eye of the king, whose attention was thus drawn to the intelligence and address which he discovered in the execution of his commission. Digby was speedily appointed a gentleman of the privy-chamber and carver to his majesty. The next year he was knighted: he was sent ambassador

bassador to Spain in 1611, and again in 1614, to treat of a marriage between prince Henry and the infanta; and after his second return he was made vice-chamberlain of the household and a privy-councillor. During these missions it had come to the knowledge of the ambassador that the counsels of his master were regularly betrayed to the king of Spain, and on his return he gave information of certain transactions between the earl of Somerset and the Spanish government, respecting which both the earl, then in the Tower for his concern in Overbury's murder, and sir Robert Cotton were subjected to repeated examinations. But James, though sufficiently convinced, as it seems, that his favorite had received the pay of the most catholic king, was either unwilling or afraid to accuse him of high treason; especially for an offence which he shared with so many of the courtiers and ministers, and the charge was dropped.

The fidelity of Digby, however, was rewarded by a commission, in 1617, to treat with the court of Spain for the hand of the infanta; and James was so well pleased with his exertions in this favorite negotiation, and the hopes which he brought back, that he bestowed on him the title of lord Digby and the castle and manor of Sherborne;—part of the spoils of Somerset, who had first wrested them from the injured Raleigh.

The German embassies of which lord Digby made a report to the parliament of 1621 have been already mentioned; his zeal and diligence had been conspicuously

cuously displayed in them; their ill-success derogated in no degree from his merit or reputation; and he was now for the fourth time dispatched into Spain to co-operate with sir Walter Aston, the ambassador in ordinary, in overcoming the obstacles which had so long embarrassed a marriage-treaty already of unexampled prolixity. For this negotiation Digby was peculiarly adapted, both by long experience of the Spanish court and by his personal character. He was diligent and patient, able and wary; of high honor, integrity and courage; haughty and reserved in his temper, and of a gravity which no Spanish grandee could surpass. The favor of his master, who always piqued himself on exercising his own choice in ambassadors and in bishops, had supported lord Digby in an independence on Buckingham, and his connexions, such as no other public man, not even the proud lord-keeper, had been able to assert. But his departure for his fourth Spanish embassy, left the indignant favorite to meditate at leisure a scheme of which his disappointment and humiliation formed an essential part, and which produced, as we shall see, the most remarkable and unexpected results. In the mean time, the terms on which the ambassador stood with the Villiers family may well be collected from a passage of a contemporary private letter:

"I am told of a great falling out between my lord-treasurer (Cranfield earl of Middlesex) and my lord Digby, insomuch that they came to *pedlar's blood* and *traitor's blood*. It was about some money which my

my lord Digby should have had, which my lord-treasurer thought too much for the charge of his employment, and said himself could go in as good a fashion for half the sum. But my lord Digby replies that he could not *peddle* so well as his lordship[a]."

The power of the marquis of Buckingham at the English court seemed already to have extended itself in every direction as far as the authority of the sovereign himself could reach. Nothing was ever denied him; and there was apparently nothing which he scrupled to ask: The doting king was even contented to live himself in absolute poverty and want, that he might shower riches with a more lavish hand on his favorite; and sublime as were his speculative notions of the majesty of a king,—of the almost divine honors attached to the character,—he was willing in practice to submit himself to the will and pleasure of an insolent and capricious minion, who did not deign to observe towards him the common decencies of outward respect. Still, there was something wanting to the ambition of Buckingham; the edifice of his power was lofty indeed, but not stable, and he had now to attempt the difficult task of placing it on a broader and a surer basis. The caprice of the king might at any moment overthrow its own work; the first frown of royalty, the first hint that the favorite was no longer inviolable, would serve as the signal of attack to a host of foes, some keen for pri-

[a] See *An Inquiry into the literary and political character of James I.* London 1816. p. 168.

vate

vate vengeance, some eager to divide the spoil; others zealous to bring to justice a great public delinquent, by whom the common interest had been in a thousand instances betrayed, and law and equity perverted for a bribe or trampled upon in the wantonness of insolent authority. The recent examples of Raleigh, of Somerset, of Suffolk, and especially of Bacon, afforded appalling proof of the certainty with which either by common law, by star-chamber proceedings, or by the jurisdiction of the house of lords, the ruin of a great man abandoned by the court might be accomplished. Another danger impended over the marquis. The king, though considerably short of sixty years of age, had become infirm, and his life was regarded as precarious; his son, arrived at full manhood and introduced into public business, was already "lord of the ascendant;" his marriage would add greatly to his importance in the state; a new court would be formed around the prince and princess, in which Bristol, the negotiator of their marriage, would perhaps occupy the principal place; it might become the rallying point of the country party, already so formidable; and in a short time, it seemed probable that nothing but the shadow of authority would remain to a monarch generally contemned, and a favorite as generally hated. Against this probable loss of consequence one remedy alone remained to the marquis;—to conciliate the favor of the prince, to interpose in the affair of the marriage in such a manner as to procure to himself all the credit of its completion,

completion, and, without forfeiting the affection of the present monarch, to establish his influence over his successor.

A hint said to be dropped by Olivarez, the minister and favorite of Spain, appeared to have suggested to the marquis the means of accomplishing a project which it required no small courage and self-confidence even to conceive. About Michaelmas 1622, the insincere dealing practised upon the king of England by the governess of the Netherlands, who, notwithstanding her amicable professions, had suffered count Tilly to besiege Heidelberg, then held for the palatine by an English garrison, had provoked James to send Endymion Porter post to Madrid, with a threatening message, for an answer to which he was to wait no more than ten days. It was the policy of Spain to sooth the wounded feelings of James and to prevent the menaced rupture of the marriage treaty; and amongst other complimentary professions, the envoy on his return reported a wish expressed by Olivarez, that the prince himself were there, to see with his own eyes how willing his master was to embrace his amity and knit with him an indissoluble knot of alliance. These expressions, being eagerly repeated by Porter to the prince, awakened in his bosom some desire to realise the idea; to put a period at length to these tedious uncertainties; to go and prove for himself the much-doubted sincerity of Spain[a].

[a] *Life of Williams*, p. 161.

It

It is highly probable from the sequel, that the pretended wish of Olivarez,—a wish apparently so little likely to be accomplished,—was nothing more than a stratagem devised by Buckingham. But however this might be, there is no doubt that it was his impetuosity which, not without repeated efforts, impelled at length the tardy spirit of the prince to *will* the enterprise, which he offered to share as his companion and guide;—that it was he who undertook to answer all objections, to obviate all difficulties, and—not the least arduous part of the undertaking—to extort the consent of the irresolute and timorous king. It was in concerting measures for the journey to Spain that Buckingham, skilfully availing himself of the facile and governable temper of Charles, first found means to possess himself of his unreserved confidence; and this, as we are told, "after a long time of declared jealousy and displeasure on the prince's part, and occasion enough ministered on the other[a]."

Buckingham now instructed the prince to commence his suit to his father by begging a promise,—such as, it is probable, had often availed himself,—that his majesty would decide on the matter to be proposed to him without communicating it to any one;—which the king unwarily conceded. This step being gained, the prince, on his knees, petitioned his father in the most earnest manner, to be permitted to travel into Spain; Buckingham long

[a] Clarendon's *Hist. of the Rebellion*, fol. edit. p. 11.

standing

standing by in silence "while the king discoursed the whole matter to the prince with less heat than they had expected." At length, being appealed to by the king, the favorite joined his persuasions and entreaties to those of Charles, urging the violent passion with which the prince was transported, and the deep impression which, it was to be feared, a refusal would produce upon his spirits and peace of mind. "The prince then took occasion to urge, that this expedient would greatly expedite the conclusion of his marriage, the event which the king desired before any other in the world, and that he would also undertake that his presence would determine the restitution of the Palatinate, the second object of his majesty's wishes."

By arguments and persuasions thus skilfully adapted, a hasty consent to the journey was won from the king, who vainly imagined that so important an affair must of necessity be submitted to the council before the plan could take effect, and that an opportunity would thus be afforded him of retracting, should he judge it expedient.

But no such escape was permitted him. He was now told, that the security of such a design depended upon its secrecy, and *that* upon the expedition used in carrying it into execution: That considerable danger would be incurred by sending to France for a safe-conduct, and a delay which would baffle the very intent of the journey, would attend the equipment of a fleet fit to convoy the prince of Wales on such an errand: That it was therefore the design

of

of the prince and duke, now that his consent was obtained, to undertake the journey immediately, in disguise, and with two servants only; and that as no one had been intrusted by them with the secret, they made no doubt of being able to pass through France before they were missed at Whitehall. The king, in his surprise and his facility, assented to all that they wished, and, referring the further details of the plan to the next day's consultation, they departed. No sooner had they quitted his presence, than a thousand difficulties and dangers rose up in array before the imagination of the king, which was inexhaustible in such kind of representations; and terror, regret and anguish took such entire possession of his mind, that on the return of the prince and his adviser for their dispatch, "he fell into a great passion with tears, and told them that he was undone, and that it would break his heart if they pursued their resolution." He then explained all his fears and all his objections, ending with the same passion and disorder with which he had begun, and conjuring them, with sighs and tears, to press him no longer to consent to a thing so contrary both to his reason and his interest.

The prince contented himself with reminding his father of his promise, the violation of which, he said, would make him give up for ever the thoughts of marriage. Buckingham, on the contrary, who better knew with whom he had to deal, and by what arts the feeble-minded are governed, treated him with rudeness; he told him that "nobody would believe any

any thing he said, when he retracted so soon the promise he had so solemnly made; that he plainly discerned that it proceeded from another breach of his word, in communicating with some rascal, who had furnished him with those pitiful reasons he had alleged, and he doubted not but he should hereafter know who his counsellor had been; that if he receded from what he had promised, it would be such a disobligation to the prince, who had set his heart now upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it." The chidden king, after passionately protesting, with many oaths, that he had communicated the matter to no one, was obliged to stifle his discontent, and listen again to the plan of action. The adventurers now stated, that they designed to begin their journey in two days; and named as their appointed attendants, Endymion Porter, who had long been employed as the king's agent in the court of Spain, and was now secretary to the prince, and sir Francis Cottington, educated in Madrid, who, after many years attendance on Buckingham, had been appointed one of the gentlemen of the prince's bedchamber.

His majesty approved the choice; and saying that many things would occur to their experience as necessary for the journey, which neither the prince nor Buckingham would think of, desired to have Cottington called immediately and apprized of the design. He was brought in accordingly from the outer room where he was waiting, while Buckingham

ham "whispered the prince in the ear, that Cottington would be against the journey, and his highness answered, he durst not."

"The king told him, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not upon his life to disclose to any man alive; then said to him, 'Cottington, here is baby Charles and Stenny (an appellation he always used of and towards the duke), who have a great mind to go by post to Spain, to fetch home the infanta, and will have but two more in their company, and have chosen you for one. What think you of the journey?' (He often protested since, that when he heard the king, he fell into such a trembling that he could hardly speak.) But when the king commanded him to answer him what he thought of the journey, he replied, that he could not think well of it, and that he believed it would render all that had been done towards the match, fruitless: for that Spain would no longer think themselves obliged by those articles; but that, when they had the prince in their hands, they would make new overtures, which they believed more advantageous to them; amongst which they must look for many that would concern religion, and the exercise of it in England. Upon which the king threw himself upon his bed, and said, 'I told you this before;' and fell into new passion and lamentation, that he was undone and should lose baby Charles.

"There appeared displeasure and anger enough in

in the countenances both of the prince and duke; the latter saying, that, as soon as the king sent for him, he whispered the prince in the ear, that he would be against it; that he knew his pride well enough, and that, because he had not been first advised with, he was resolved to dislike it; and therefore he reproached Cottington with all possible bitterness of words; told him, the king asked him only of the journey, and which would be the best way; of which he might be a competent counsellor, having made the way so often by post; but that he had the presumption to give his advice in matter of state, and against his master, without being called to it, which he should repent as long as he lived; with a thousand new reproaches, which put the poor king into a new agony, on the behalf of a servant who, he foresaw, would suffer for answering him honestly. Upon which he said with some commotion, 'Nay, by God, Stenny, you are very much to blame to use him so; he answered me directly to the question I asked him, and very honestly and wisely, and yet you know he said no more than I told you before he was called in.' However, after all this passion on both parts, the king yielded; and the journey was at that conference agreed on and all directions given accordingly to sir Francis Cottington; the king having now plainly discovered, that the whole intrigue was originally contrived by the duke, and so violently pursued by his spirit and impetuosity[a]."

[a] Clarendon's *History*, pp. 11 et seq.

All obstacles to this romantic enterprize being thus removed, the prince and the marquis quitted the court on February 17, 1623; the prince pretending to go to hunt at Theobalds, and the marquis, in the phrase of the day, "to take physic" at Chelsea. They proceeded the same night to Newhall in Essex, a seat belonging to Buckingham, and thence the next day,—attended only by sir Richard Graham, master of the horse to Buckingham,—to Dover, where they were met by Cottington and Porter. They disguised themselves with false beards and full wigs, and assumed the names of Thomas and John Smith; and having eluded with some difficulty the vigilance of the mayor of Dover, who suspected that they were gentlemen passing over in disguise to fight a duel, and to whom, it is said, Buckingham was obliged to announce himself as the lord admiral going to visit the fleet, they embarked without discovery.

Arrived at Paris, the prince ventured to linger for a day, and after viewing the curiosities of the city snatched a sight of the royal family at dinner, and in the evening was courteously admitted as a stranger to view "a masking dance," in which the princess Henrietta Maria performed a part, surrounded with the most distinguished beauties of the court. Of this circumstance Waller has made a poet's use in his gallant and spirited lines on the picture of Henrietta, then queen of England.

"No power achieved either by arms or birth
Equals love's empire, both in heaven and earth;

Such

Such eyes as yours on Jove himself have thrown
As bright and fierce a lightning as his own:
Witness our Jove, prevented by their flame
In his swift passage to th' Iberian dame,
When, like a lion finding in his way
To some intended spoil a fairer prey,
The royal youth, pursuing the report
Of beauty, found it in the Gallic court:
There public care with private passion fought
A doubtful combat in his noble thought:
Should he confess his greatness and his love,
And the free faith of your great brother prove;
With his Achates breaking through the cloud
Of that disguise which did their graces shroud;
And, mixing with those gallants at the ball,
Dance with the ladies and outshine them all?
Or on his journey o'er the mountains ride?
So when the fair Leucothoe he espied,
To check his steeds impatient Phœbus yearned,
Though all the world was in his course concerned."

Charles however inherited some portion of his father's indifference to female charms. It is not known that the brilliant Henrietta then excited any peculiar sentiment in his bosom; and he pursued his journey on the following day. The careless profusion with which the travellers scattered their money around them;—an air of distinction which they could not entirely disguise, and probably a deferential manner which their attendants would find it difficult to lay aside,—seem to have excited in most of the towns through which they passed, a suspicion that they were of higher quality than they thought proper to make known. At Bourdeaux they

were embarrassed by the offered hospitality of the governor, the duke D'Epernon, whose penetrating and experienced eye they dreaded: and it was not without hesitation that the count de Grammont had just dismissed them through his frontier garrison at Bayonne, when a courier dispatched by the Spanish ambassador at London to his own court, gave him the information that the prince of Wales was on his journey through France.

Without further difficulties they pursued their course, and reached Madrid on March 6th; the prince and the marquis for the greater privacy preceding their attendants by a day. Words can scarcely do justice to the amazement felt by the earl of Bristol, when, in the dusk of the evening, the marquis of Buckingham entered his house at Madrid, carrying a portmanteau, and announcing that the prince himself with a guide was waiting in the dark on the opposite side of the street, till he should learn that his lordship was alone, and could receive him with perfect secrecy. Scarcely trusting his ears or eyes, the ambassador hurried out to meet the prince, and, having conducted him to his bedchamber, listened with astonishment to the narrative of his journey, and assisted in settling the plan of his future proceedings.

In the mean time, the thoughts of king James were anxiously bent on his absent son and favorite; and the following characteristic letter, among others, which he addressed to them conjointly, will serve to show the nature of his solicitudes, and especially the

the perfect equality on which it was his pleasure to place the heir of his kingdoms and the upstart minion whom he had erected into his own and his people's master.

King James to the prince, and the marquis of Buckingham.

"My sweet boys and dear venturous knights, worthy to be put in a new romanso. I thank you for your comfortable letters; but alas, think it not possible that ye can be many hours undiscovered, for your parting was so blown abroad that day ye came to Dover, as the French ambassador sent a man presently thither, who found the ports stopped; but yet I dare not trust to the bare stopping of the ports, there being so many blind creeks to pass at, and therefore I sent Doncaster to the French king with a short letter of my own hand, to show him that respect that I may acquaint him with my son's passing unknown through his country; and this I have done for fear that upon the first rumor of your passing, he should take a pretext to stop you.....

"Vacandarie is come from Spain, but brings no news, save that Sim. Digby[1] is shortly to be here with a list of their names that are to accompany your mistress hither; only Bristol writes an earnest letter to have more money allowed him for his charges at that solemnity, otherwise he says he cannot hasten the consummation of the marriage; but that *ye two* can best satisfy him in, when you are there.... Kirke and Gabriel will carry Georges and garters

garters to *you both* with speed, but I dare send no jewels of any value to *either of you* by land, for fear of robbers, but I will hasten all your company and provision to you by sea: Noblemen ye will have enow, and too many....I have settled sir Francis Crane for my Steenie's business, and I am this day to speak with Fotherby, and by my next Steenie shall have an account both of his business and of Kit's preferment and supply in means; but sir Francis Crane desires to know if my baby will have him to hasten the making of that suit of tapestry that he commanded him.

"I have written three consolatory letters already to Kate, and received one fine letter from Kate; I have also written one to Sue, but your poor old dad is lamer than ever he was, both of his right knee and foot, and writes all this out of his naked bed. God almighty bless you both, my sweet boys, and send you a safe, happy return. But I must command my baby to hasten Steenie home, how soon ye can be assured of the time of your home-coming with your mistress, for, without his presence, things cannot be prepared here[a]."

The king's next letter supplies matter equally curious. He seems pleased with sending in his "ship adventure" a letter to his "two boys adven-

[a] *Miscellaneous State Papers*, vol. i. No. xxvi. The "Kit," the "Kate" and the "Sue," of whom his majesty was so observant, were the brother, wife and sister of his favorite.

turers,

turers, whom God ever bless." He gives notice that he sends two of his "baby's" chaplains, "together with all stuff and ornaments fit for the service of God," and adds, very characteristically, "I have fully instructed them, so as all their behaviour and service shall, I hope, prove decent, and agreeable to the purity of the primitive church, and yet as near the Roman form as can lawfully be done; for it hath ever been my way to go with the church of Rome *usque ad aras*." Passing then to matters of scarcely less importance in his eyes, he says, "I send you also your robes of the order, which ye must not forget to wear upon St. George's day, and dine together in them, if they can come in time, which I pray God they may, for it will be a goodly sight for the Spaniards to see my two boys dine in them: I send you also the jewels, as I promised, some of mine and such of yours, I mean both of you, as are worthy the sending. For my baby's presenting his mistress I send him an old double cross of Lorain, not so rich as ancient, and yet not contemptible for the value; a good looking-glass, with my picture in it, to be hung at her girdle, which ye must tell her ye have caused it so to be enchanted by art magic, as whensoever she shall be pleased to look in it, she shall see the fairest lady that either her brother or your father's dominions can afford." A tedious enumeration follows, of the other jewels to be offered to the infanta, comprising a large diamond, "to be worn at a needle on the midst of her forehead."

"And

"And for my baby's own wearing, ye have two good jewels of your own....and I send you for your wearing the three brethren, that ye know full well, but newly set, and the mirror of France, the fellow of the Portugal diamond, which I would wish you to wear alone in your hat with a little black feather.....As for thee, my sweet gossip, I send thee a fair table diamond, which I would once have given thee before, if thou would have taken it, for wearing in thy hat, or where thou pleases; and if my baby will spare thee the two long diamonds in form of an anchor, with the pendant diamond, it were fit for an admiral to wear, and he hath enough better jewels for his mistress, though here's of thine own thy good old jewel, thy three pindars diamonds, the picture case I gave Kate, and the great diamond case I gave her, who would have sent thee the least pin she had, if I had not stayed her. If my baby will not spare the anchor from his mistress, he may well lend thee his round broach to wear, and yet he shall have jewels to wear in his hat for three great days."....."Thus you see," concludes the doting king, "how, as long as I want the sweet comfort of my boys' conversation, I am forced, yea and delight, to converse with them by long letters. God bless you both, my sweet boys, and send you, after a successful journey, a joyful and happy return into the arms of your dear dad."

The strain of familiarity in which Buckingham, holding the pen for the prince and for himself, judged it

it permitted to correspond with his sovereign, is sufficiently exemplified in the first letter written by him from Madrid, which runs thus :

" Dear dad and gossip,

" On Friday last we arrived here at five o'clock at night, both in perfect health ; the cause which we advertise you of it no sooner was, that we knew you would be glad to hear as well of the manner of our reception as of our arrival. First, we resolved to discover the wooer, because, upon the speedy opening of the ports, we found posts making such haste after us that we knew it would be discovered within twelve hours, and better that we had the thanks of it than a postilion. The next morning we sent for Gondomar, who went presently to the conde of Olivares, and as speedily got me, your dog Steenie, a private audience of the king ; when I was to return back to my lodging, the conde of Olivares, himself alone, would accompany me back again to salute the prince in the king's name. The next day we had a private visit of the king, the queen, the infanta, don Carlos and the cardinal, in the sight of all the world, and I may call it a private obligation hidden from nobody ; for there was the pope's nuncio, the emperor's ambassador, the French, and all the streets filled with guards and other people : before the king's coach went the best of the nobility, after followed all the ladies of the court : we sat in an invisible coach, because nobody was suffered to take notice of it, though seen by all the

the world: In this form they passed three times by us; but before we could get away, the conde of Olivares came into our coach and conveyed us home, where he told us the king longed and died for want of a nearer sight of our wooer. First he took me in his coach to go to the king; we found him walking in the streets, with his cloak thrown over his face and a sword and buckler by his side; he leaped into the coach, and away he came to find the wooer in another place appointed, where there passed much kindness and compliment one to another.

"You may judge by this how sensible this king is of your son's journey; and if we can either judge by outward shows or general speeches, we have reason to condemn your ambassadors for rather writing too sparingly than too much. To conclude, we find the conde Olivares so overvaluing of our journey, that he is so full of real courtesy, that we can do no less than beseech your majesty to write the kindest letter of thanks and acknowledgement you can unto him. He....hath this day written to the cardinal Ludovicio, the pope's nephew, that the king of England hath put such an obligation upon this king, in sending his son hither, that he entreats him to make haste of the dispensation, for he can deny him nothing that is in his kingdom. We must hold you thus much longer to tell you, the pope's nuncio works as maliciously and as actively as he can against us, but receives such rude answers that we hope he will be soon weary on't: We make this collection of it, that the pope will be very loth to grant a dispensation,

pensation, which if he will not do, then we would gladly have your directions how far we may engage you in the acknowledgement of the pope's special power, for we almost find, if you will be contented to acknowledge the pope chief head under Christ, that the match will be made without him.

"So, craving your blessing, we rest

"Your majesty's humble and obedient son and servant,

"CHARLES.

"Your humble slave and dog,

"STEENIE.

"*Madrid the* 10*th of March*, 1623.

"For the best of fathers and masters[a]."

A second joint letter thus continues the story of the prince's entertainment by the king of Spain:

"The next day your baby desired to kiss his hands privately in the palace, which was granted and thus performed: First, the king would not suffer him to come to his chamber, but met him at the stair-foot, then entered into the coach and walked into his park. The greatest matter that past between them at that time was compliments and particular questions of our journey; then, by force, he would needs convey him half-way home; in doing which they were both almost overthrown in brick pits.... Yesterday, being Sunday, your baby went to a monastery called St. Jeronimo's to dinner, which stands a little out of the town. After dinner came all the

[a] *Miscellaneous State Papers*, vol. i. p. 401.

coun-

councillors in order to welcome your baby; then came the king himself, with all his nobility, and made their entry with as great triumph as could be, where he forced your baby to ride on his right hand, which he observes always. This entry was made just as when the kings of Castile come to the crown: all prisoners set at liberty, and no office nor matters of grace falls, but is put into your baby's hands to dispose.....

"For our many and chief business, we find them, by outward shows, as desirous of it as ourselves; yet are they hankering upon a conversion; for they say that there can be no firm friendship without union in religion; but put no question in bestowing their sister, and we put the other quite out of question, because neither our conscience nor the time serves for it, and because we will not implicitly rely upon them. For fear of delays, which we account the worst denial, we intend to send, with all speed, Mihill Andros, to come to bring us certain word from Gage, how he finds our business prosper there (at Rome), according to which we will guide ourselves."..... The prince adds in his own hand, "I beseech your majesty advise as little in these businesses with your council as you can."

The following letter from Buckingham accompanied the other:

"Dear dad and gossip,

"The chiefest advertisement of all we omitted in our other letter, which was, to let you know how we

we like your daughter, his wife, and my lady mistress: without flattery, I think there is not a sweeter creature in the world. Baby Charles himself is so touched at the heart, that he confesses all that he ever saw is nothing to her, and swears, that if he want her, there shall be blows. I shall lose no time in hastening their conjunction, in which I shall please him, her, you, and myself most of all, in thereby getting liberty to make the speedier haste to lay myself at your feet; for never none longed more to be in the arms of his mistress. So craving your blessing I end,

"Your humble slave and dog,

"STEENIE[a]."

It is obvious from these letters, that nothing could exceed the honors paid by the Spaniards to the prince of Wales, or their demonstrations of earnestness for the completion of the match. Neither is there any ground to suspect that at this time they were practising any dissimulation: no better match could be found, or desired, for the infanta than the heir of Great Britain; and it was the more important to Spain to secure his alliance, because, if disappointed in this quarter, it was to France that he must look for a bride; and the union of France and England in so strict a league could not but be formidable to the diminished force and energy of the Spanish monarchy. Religion itself now seemed rather to

[a] *Miscellaneous State Papers*, vol. i. p. 410.

enjoin

enjoin than forbid the marriage; since the king of Great Britain was willing to accede to stipulations which would amply secure the faith of the infanta herself from all assaults;—which might afford many facilities for attempting the conversion of her husband;—which would go far towards fixing her children in the church of their mother, and which would greatly ameliorate the condition of the distressed catholics of the British dominions.

The principal difficulties which seemed likely to impede the conclusion of the treaty arose from the impatient and injudicious earnestness for its completion manifested on the English part. The equally disgraceful and impolitic facility with which James had assented to all the demands of the Spanish court relative to religion, had already disposed the pope to interpose delays in granting the dispensation, with the hope of still extorting something more; and the unhoped-for intelligence that the prince had put himself into the power of the king of Spain, had the immediate effect of causing the pontiff to rise greatly in his terms.

Philip IV. was himself too honorable to take advantage of the confidence reposed in him by a brother prince; but it soon appeared that the Spanish clergy, acting under the orders of the nuncio and uniting with the English and Irish fugitives, who were both numerous and powerful at Madrid, were likely to devise means of trying the complaisance of king James and the patience of his son to the utmost.

In the letters just quoted we already find a bold attempt

attempt hazarded for the conversion of Charles; and the still bolder requisition made, that, by way of preliminary, the king of England should acknowledge the pope's supremacy. James himself was startled at this pretension: "Ye must remember," he writes, "that in Spain they never put doubt of the granting of the dispensation; that themselves did set down the spiritual conditions, which I fully agreed unto, and by them were they sent to Rome, and the consulto there concluded, that the pope might, nay ought, for the weal of Christendom, grant a dispensation upon those conditions; these things may justly be laid before them; but I know not what ye mean by my acknowledging the pope's spiritual supremacy. I am sure ye would not have me renounce my religion for all the world; but all that I can guess at your meaning is, that it may be ye have an allusion to a passage in my book against Bellarmine, where I offer, if the pope would quit his god-head and usurping over kings, to acknowledge him for the chief bishop, to whom all appeals of churchmen ought to lie *en dernier resort;* the very words I send you here inclosed, and that is the furthest that my conscience will permit me to go upon this point; for I am not a monsieur who can shift his religion as easily as he can shift his shirt when he cometh from tennis[a]."

As for his majesty's book against Bellarmine, it is more than probable that his beloved *Steenie* had

[a] *Miscellaneous State Papers*, vol. i. p. 411.

never

never given himself the trouble to read it; and that even the prince, though not uninstructed in polemics, had retained neither this nor any other particular passage engraven in his memory: but the whole mischief proceeded from the folly which had interfered with the skilful management of the earl of Bristol.

This able minister had taken care to state in the most distinct manner, that the papal dispensation was nothing to his master; that to him it was utterly indifferent whether there were any such thing or not; that it was to the king of Spain alone that his religion rendered it necessary, and therefore that it was for him to procure it; and to this the Spanish ministers had fully consented, by taking the business on themselves. But James had afterwards been guilty of the weakness and inconsistency of sending Gage, a catholic, to Rome, to solicit the affair on his own behalf; and on the strength of this overture, as well as of the alliance which he was desirous of contracting, the sovereign pontiff had ventured to address a letter to Charles, urging him to return to the faith of his great and pious ancestors. The answer of the prince, though conceived in very general terms, was one which, if made public, would have lost him the esteem and confidence of every earnest protestant in his father's dominions, from the respect which it expressed for the Romish faith and the hopes which it affected to hold out that the unity of the church might yet be restored: a striking proof of the danger and impropriety of the situation

tion in which the prince had placed himself, and a sufficient comment on the meaning of his request that the privy-council might be as little as possible consulted on these negotiations! The firm remonstrances of the earl of Bristol caused the Spanish council to desist from some of their encroaching demands; but two secret articles were actually added to the treaty; by one of which James engaged to use his efforts for the repeal of all penal laws against the catholics within three years; and by the other consented that all the children of the marriage should be left under their mother's tuition two years longer than had been agreed; that is, to the age of twelve: —a concession which nothing could justify!

In the further progress of the business frequent causes of offence and altercations arose among the negotiators, and especially between Buckingham, to whom, for his imagined good services in this very affair, his credulous master had just transmitted the patent of a duke, and Olivares. The Spanish ministers thought themselves authorised to inquire by what title a young man bearing no commission from his sovereign, dared to interpose in the treaty with the tone of a dictator; and finding that he brought no credentials from the English council, they scrupled to admit him as a party to their consultations.

The offended favorite on his part did not fail to aggravate to the prince all causes of dissatisfaction which occurred. Charles was once on the point of quitting Spain in anger or despair, at the kind of

securities demanded for the spiritual articles, but the earl of Bristol dissuaded him from a step which would have been irretrievable; and Cottington was dispatched instead with a report from the prince and the duke, which called forth the following pitiful wailings from king James:

"My sweet boys,

"Your letter by Cottington hath strucken me dead; I fear it shall very much shorten my days, and I am the more perplexed that I know not how to satisfy the people's expectation here, neither know I what to say to our council, for the fleet that stayed upon a wind this fortnight. Rutland and all aboard must now be stayed, and I know not what reason I shall pretend for the doing of it; but as for my advice and directions that ye crave, in case they will not alter their decree, it is in a word, to come speedily away, an if ye can get leave, and give over all treaty. And this I speak without respect of any security they can offer you, except ye never look to see your old dad again, whom I fear ye shall never see if ye see him not before winter. Alas, I now repent me sore that ever I suffered you to go away. I care for match nor nothing so I may once have you in my arms again; God grant it, God grant it, God grant it, Amen, amen, amen! I protest ye shall be as heartily welcome as if ye had done all things ye went for, so that I may once have you in my arms again, and God bless you both, my only sweet son and my only best sweet servant, and let me hear from

from you quickly with all speed, as ye love my life; and so God send you a happy and joyful meeting in the arms of your dear dad.

"*From Greenwich the 24th of June* 1623[a]."

The king's letter alludes in part to the provoking resolution taken by advice of the ecclesiastical council at Madrid, and obstinately persisted in, to delay the infanta's voyage to England till the following spring; in order to give time for the conversion of the prince during so prolonged an abode in Spain: But Olivares promised to bring the divines to reason; the treaty was resumed with great assurances of dispatch and honorable dealing from the Spanish minister, and the prince now hoped to be on his return within a month, accompanied by his bride. As one mode of expediting the affair, Buckingham proposed to the king to begin putting in execution all those stipulations for the relief of his catholic subjects which were to take effect upon the marriage. On this suggestion, his majesty without hesitation directed Williams to issue letters under the great seal to all judges and magistrates, requiring them entirely to forbear taking cognisance of any violations of the laws against recusancy: but so daring and invidious an exercise of the dispensing power, —in itself an unwarrantable assumption of the crown,—justly alarmed the lord-keeper; who represented, that these functionaries could not yield to

[a] *Miscellaneous State Papers*, vol. i. p. 421.

the royal pleasure without the breach of their solemn oaths of office; and the monarch was obliged to resort to the expedient of granting to the catholics a general pardon and dispensation; which they could equally plead against the laws, but which would excite less clamor and save the consciences of magistrates.

In the next dispatches the king received the following notification of his son's progress:—"I, your baby, have since this conclusion been with my mistress, and she sits publicly with me at the plays, and within these two or three days shall take place of the queen, as princess of England[a]." Public interviews, however, were all that the etiquette of Spain would permit to the princely wooer till the arrival of the dispensation. Howel the letter-writer thus describes the formalities of the courtship:—"There are comedians once a-week come to the palace, where under a great canopy the queen and the infanta sit in the middle, our prince and don Carlos on the queen's right hand, the king and the little cardinal on the infanta's left hand. I have seen the prince have his eyes immovably fixed upon the infanta half an hour together, in a thoughtful speculative posture, which sure would needs be tedious unless affection did sweeten it. It was no handsome comparison of Olivares, that he watched her as a cat doth a mouse.

"Not long since, the prince, understanding that

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[a] *Miscellaneous State Papers*, vol. i. p. 427.

the

the infanta was used to go some mornings to the *casa de campo*, a summer-house the king hath the other side the river, to gather May-dew, he did rise betimes and went thither, taking your brother (Endymion Porter) with him; they were let into the house and into the garden, but the infanta was in the orchard, and there being a high partition wall between, and the door doubly bolted, the prince got on the top of the wall and sprung down a great height, and so made towards her; but she, spying him first of all the rest, gave a shriek and ran back. The old marquis that was then her guardian came towards the prince and fell on his knees, conjuring his highness to retire, in regard he hazarded his head if he admitted any to her company; so the door was opened, and he came out under that wall over which he had got in. I cannot say that the prince did ever talk with her privately, yet publicly often, my lord of Bristol being interpreter; but the king always sat by to overhear all. Our cousin Archy hath more privilege than any, for he often goes with his fool's coat where the infanta is with her *meninas* and ladies of honor, and keeps a blowing and blustering amongst them and flirts out what he lists[a]."

It is certainly a curious trait of the manners of the time, that the prince should be followed to Spain by a court fool, or jester, and that the privileges of this office should prove an exemption from the strict ceremonial of the country.

[a] Howel's *Letters*, part i. letter 71.

In

In England, the impatience of the people for the return of the prince and their anxiety for his safety had suspended all murmurs against the match, and brought the privy-council into as complying a frame of mind as the king himself could desire. The articles concerning religion were now sent over, and their observance was solemnly sworn to by the king and all the councillors who could be assembled, of whom the archbishop of Canterbury was one; afterwards the king took his oath to the private articles in presence of the Spanish ambassadors; the Spanish divines having at length decided that these oaths should be accepted as sufficient security for the religious stipulations, provided Philip IV. would be bound to them as guarantee:—a character which would have afforded him constant pretexts for a most insulting interference between the king of Great Britain and his Roman catholic subjects. It was hoped by James, that when he had performed to the letter all that this treaty required of him, and had even gone beyond it, as he did in several points, he should have earned the favorable report of the ambassadors to their own court; but the more he displayed his weakness in yielding, the more of course they exhibited their boldness in asking; and it appears that the marquis of Innojosa thought proper to complain, that though the catholics were now relieved from all penalties, and even from the obligation to take the oath of allegiance, they still lay under a reproach in not being declared eligible to all offices, and on an equal footing with their fellow citizens. He was answered,

answered, that there was now no obstruction to their bearing offices; and was at length pleased to declare himself in some measure satisfied.

Nothing now appeared to oppose the conclusion of the marriage; the "dull diligence" of the Spaniards, as James called it, had perfected the treaty, after a period of deliberation somewhat short of nine years; the pope's ratification of the articles was sent for—was promised; the English fleet was fitting out to receive the prince, and, it was hoped, his bride; and the espousals were positively fixed to take place on the 29th of August. King James could now anticipate no disappointment in his darling scheme; least of all could he apprehend that it was to proceed from the man whom he had most fondly loved and most extravagantly favored, and who expressed a devotedness to his will exceeding that of every other subject. One circumstance alone transpires, in the correspondence of the prince and Buckingham with the king, from which he could conceive any doubts or apprehensions; and this was, their request to have under his majesty's hand an order for their immediate return to England, of which they might if necessary avail themselves; but the motive for this request was carefully disguised, and no one had ventured to acquaint the king either with the ill-behaviour of his favorite in Spain, or the keen sense of it manifested by the haughty Spaniards: whilst the revenge which Buckingham meditated against them was confined as yet to his own bosom. The death of pope Gregory had rendered

necessary

necessary a new ratification of the articles, and before its arrival, Buckingham instigated the prince to make known the necessity of his immediately quitting Spain. This was startling; but Philip IV. was too jealous for the honor of his sister to press his stay, and preparations were made to grace his departure with every possible mark of honor and affection, since it could not yet be suspected that he entertained the most distant thought of breaking the match..... "The ninth of this month," writes the earl of Bristol to the lord-keeper in August 1623, the prince intendeth, God willing, to begin his journey for England; and the day before, I conceive, the contract will be. The infanta is to follow in the spring, and the prince hath commanded my stay here. I know not how things may be reconciled here before my lord duke's departure, but at present, they are in all extremity ill between this king and his ministers and the duke; and they stick not to profess, that they will rather put the infanta headlong into a well than into his hands[a]."

The contract of marriage was not however celebrated before the prince's departure, partly for want of the pope's ratification, partly because Charles himself did not urge it; but he solemnly confirmed by oath the articles of the treaty, witnessed the taking of a like oath by the king of Spain, his council and some of the great officers, and publicly deposited in the earl of Bristol's hands a proxy for the king of Spain, empowering him to marry the infanta

[a] *Cabala*, p. 22.

within

within a certain number of days after the arrival of the ratification. Nothing in short was omitted on either side to give mutual satisfaction, and to manifest to the world the terms of friendship and brotherhood on which they parted. The details are thus given in a contemporary letter:

"The king brought him (the prince) to the Escurial, and a little before his departure the king and he went into a close coach, and had a large discourse together,—my lord of Bristol being in another coach hard by, to interpret some hard words when he was called. And so they parted, with many tender demonstrations of love. A trophy of marble is erected in the place where they parted. Many rich presents were given on both sides. The prince bestowed upon the queen the biggest crown pearl in the world, between two diamonds. He gave the infanta a rope of pearl and an anchor of great diamonds, with many other jewels. He hath been very bountiful to every one of the king's house, and all the guard. Never prince parted with such an universal love of all. He left every mouth fiilled with his commendations; every one reporting him to be a truly noble, discreet and well deserving prince...

"My lord of Buckingham at first was much esteemed, but it lasted little; his French garb, with his stout hastiness in negotiating, and his over-familiarity with the prince, was not liked. Moreover, the council of Spain took it ill, that a green head should come with such a superintendent power to treat of an affair of such consequence among so many

many grave ministers of state, to the prejudice of so grave and well deserving a minister as my lord of Bristol, who laid the first stone of this building. Hereupon, his power was called in question, and found imperfect in regard it was not confirmed by the council. Thus the business began to gather ill blood between Olivares and him, and grew so far out of square, that unless there had been good heads to piece them together again, all might have fallen quite off the hinges. He did not take his leave of the countess of Olivares, and the farewell he took of the conde himself was harsh; for he told him he would be an everlasting servant to the king of Spain, the queen and the infanta, and would endeavour to do the best offices he could for the concluding of this business, and strengthening the amity between the two kingdoms:—but for himself, he had so far disobliged him, that he could make no profession of friendship to him at all. The conde turned about, and said he accepted of what he had spoken, and so parted[a]."

After these adieus the prince and his confident turned their steps towards St. Andero, where they were to embark. Sir Thomas Somerset and sir John Finett had been sent on board the English fleet to Spain, with orders immediately to announce to the prince, wherever he should then be, its arrival for his and the infanta's service. Six leagues in-land from St. Andero they met the prince on his journey

[a] *Cabala*, p. 16.

thither;

thither; "when," says Finett, "besides the joy his highness received at our encounter and the fleet's arrival, (a news that he said made him look upon me when I told it, as on one that had the face of an angel,) the duke of Buckingham, when I after met him and told him the like, to express his content, kissed me, and, drawing from his finger a diamond of above an hundred pounds value, gave it me for a present[a]."

No sooner was Charles safe on board an English vessel, than he said openly to those about him, that it was a great folly in the Spaniards to use him so ill and then suffer him to come away. The day after his embarkation, too, he sent one of his attendants back to Madrid, under pretence of fetching something left behind, for the purpose of secretly delivering to the earl of Bristol a letter commanding him, when the dispensation should arrive, to forbear delivering the proxy till sufficient security should be given against the infanta's throwing herself into a nunnery after the espousals, and thus frustrating himself and his country of the hopes of posterity. This chicane, for it was nothing more, demonstrated the utter insincerity of Charles in the oaths and protestations with which he had voluntarily bound himself on quitting Madrid. Bristol, anxious and alarmed, hastened to apply for the securities required, and to assure Charles that none would be denied by the king or the infanta which could in reason or

[a] Finetti *Philox.* p. 121.

propriety

propriety he asked. Then, craving leave to write to his highness "like a faithful plain servant," he proceeded to inquire whether it was his highness's real pleasure that the proxies in his hands should be made use of, or not. If not, other pretexts might be found in the discussion of the temporal articles to create delay. "But," he adds, "these inconveniences I conceive will follow. First, it will be of great discomfort to the infanta, who, until the *desposorios* are past, is not her own woman, but must be governed by the pleasure of the junta, which I think she is very weary of; neither till then may she declare herself to be yours, nor comply with your highness in answering of your letters and messages, and giving you those respects and comforts which I know she would be glad to do. But if she should any way judge, that the delay of the *desposorios* should arise from your highness's part, I conceive she would take it most heavily. Secondly, it will certainly raise great jealousies in this king and his ministers, and retard the resolutions that are fit to be taken with speed for the putting in execution that which is capitulated.....I dare not so much as give myself leave once to question your highness' intentions of proceeding to the real effecting of the match, which makes me desirous that all things may be executed that may any way retard or disturb it. Only I shall....presume to say thus much to your highness: That for divers years I know the king your father and yourself have held this the fittest match in the world, and by a desire of effecting it

your

your highness was induced to undertake that hazardous journey of coming to this court in person. In the time of your being here, admitting that their proceedings have been in many things unworthy of you, and that divers distastes have grown by intervenient accidents,—now things are reduced to those terms that the match itself is sure, the portion and the temporal articles settled,—I hope to the king's liking and yours,—and all other good effects that could be hoped for by this alliance are in a fair way.

"If to these reasons may be added, that on his majesty's and your highness'-part you have already passed by and overcome the main difficulties, and your highness by your journey hath satisfied yourself of the person of the infanta, God forbid that either any personal distastes of ministers, or any indiscreet or passionate carriage of businesses, should hazard that which his majesty and your highness have done so much to obtain, and whereby doubtless so much good and peace is to accrue to Christendom by the effecting of it; and, contrariwise so much trouble and mischief by the miscarrying of it..... I shall conclude by entreating your highness, that if you would have things go well, that a post may instantly be dispatched back unto me, authorising me to deliver the said power upon the arrival of the dispensation, and having taken fitting security in this particular point. And this I earnestly beseech your highness may be done with all possible speed and secrecy, and that the Spanish ambassadors may

not

not know that ever there was any suspension made of the delivery of the powers[a]."

These representations of Bristol, however supported by considerations of honor and policy, produced no impression on the mind of the prince, who had submitted himself implicitly to other guidance, and whose first wish and care it had now become, to find pretexts for breaking off the treaty capable of satisfying his father that the disappointment of his fondest wishes had become inevitable.

While Charles and Buckingham are pursuing their voyage homeward full of these designs, and troubled no doubt with many anxious thoughts respecting their execution, it will be proper to inquire what had been the state of men's minds during their absence, and what reception was awaiting their return.

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[a] *Cabala*, p. 24.

CHAPTER

CHAPTER XXIV.

1623, 1624.

State of public opinion respecting the prince and Buckingham. —Policy adopted by the lord-keeper,—by the lord-treasurer.—Arrival of the prince and Buckingham in England. —Steps taken by their advice to break off the marriage-treaty.—Recall and honorable conduct of Bristol.—The king compelled into the measures of Buckingham,—his regret and melancholy.—Debates in the council concerning a war with Spain.—Violent behaviour of Buckingham.—His resentment against the lord-keeper and other councillors.— He causes parliament to be assembled,—and courts the popular party.—Death of the duke of Lenox and Richmond. —King's speech to parliament disclaiming toleration of the catholics.—Buckingham's false narration of occurrences in Spain.—The Spanish ambassador demands his head.—The house defends him.—Address of both houses in favor of war with Spain.—Temporising conduct of the king.—Supplies voted.—The king overruled by Buckingham.—Letter from him to the king.—King's speech to parliament.—Petition against the catholics.—Buckingham accused by the Spanish ambassadors,—disgraced by the king,—recovers himself by the counsels of the lord-keeper.—Curious intrigues of the lord-keeper.—Impeachment of the lord-treasurer.— Return and disgrace of Bristol.—Dissolution of parliament.

IT would be difficult to convey an adequate idea of the surprise, the confusion, the consternation, which seized all minds on the first rumor that Buckingham had carried off the prince to Spain in disguise,

guise, at a moment's warning, and without the knowledge of a single privy-councillor or minister of state. Such an act was justly regarded as an intolerable presumption on the part of the favorite, and a more glaring proof than any other of the absolute mastery which he exercised over the spirit of the king.

It had been the current report of Madrid, as soon as the prince's arrival there was known, that he had come to make himself a catholic, and a suspicion of the same kind had taken possession of the English people, to which the puritan divines gave great encouragement. A knowledge of the earnest persuasions on this head employed by the Spanish court, and still more of the correspondence into which Charles had been seduced with the pope, would doubtless, with a large party, have changed these suspicions into an absolute conviction of his apostasy, and ruined him for ever in public estimation. But these circumstances were carefully concealed by the prudential policy of James; and the most prevalent apprehension was, lest the Spaniards, of whose cruelty and perfidy every thing was thought credible, might, on some pretext of quarrel, detain the heir of the kingdom in perpetual imprisonment. Yet, no people could entirely withhold its admiration and sympathy from an expedition dictated by a gallantry so romantic and so becoming the spirit of a youthful prince. Had he succeeded to his hopes, and led home with him in triumph the royal bride, long wooed and nobly won, fears, scruples and prejudices would all have given way before the enthusiasm

siasm of the moment, and the marriage most deprecated in prospect, might have been hailed with the loudest burst of applause on its completion. Even as it was, the joy of receiving back the young adventurer in safety seemed to fill every heart; and the merit of bringing him home again, was thought sufficient atonement for the rashness of Buckingham in carrying him abroad.

Courtiers and politicians surveyed the scene with other eyes: No apprehensions were entertained by them for the personal safety of the prince,—partly because it was manifestly contrary to the interest of Spain that the hopes of the English nation should be transferred from him to the princess palatine and her family;—and so large a troop of the flower of the young nobility and gentry hastened to offer their attendance to the heir apparent and the favorite, that within a few days the hotel of the earl of Bristol assumed the appearance of an English court. But the great perplexity of those who were, or who wished to be, in public situations, was to decide what would be the results of this adventurous journey with regard to the duke of Buckingham: Would it exalt him to a still higher pinnacle of power and favor, or would it precipitate him to destruction? By no one was this alternative weighed with more profound attention than by the lord-keeper; and when he had maturely reflected that the smallest failure in deference or attention on the part of Buckingham towards Olivares, or of Olivares towards Buckingham, must produce a violent quarrel between these haughty favorites, which

would very probably end in a breach of the treaty;—a treaty on which the king had rested so many hopes and projects that it seemed scarcely credible that he could continue to love the instrument of its failure,—he could not avoid regarding the situation of the duke as extremely critical; especially as an absence of any considerable duration would afford many advantages to the numerous and active enemies who were laboring to supplant him. In consequence of this view of things, Williams endeavoured as much as possible to establish himself on an independent footing in the favor of his master; and though he continued to Buckingham all those professions of devotedness which his present greatness rendered necessary, he took upon him, in his correspondence, to offer his advice with more freedom than was welcome to this spoiled child of fortune, and sometimes ventured to complain of the silence respecting the progress of the negotiation observed towards the privy-council and the most important officers of state. He also corresponded intimately with the earl of Bristol, who made no scruple of communicating to him the injuries and affronts which he received from the arrogant and intrusive favorite; and lastly, he was careful to perform all that depended on him to give satisfaction to the Spanish ambassadors, and to remove any obstacles to the completion of the alliance; and this, even after he had good cause to know that the duke was resolutely bent on opposing its accomplishment.

The lord-treasurer, apprehending, probably on similar

similar grounds, the fall of his great patron, likewise made some efforts to shake off his allegiance to him, and ventured to scruple payment of some of his exorbitant demands on an almost exhausted exchequer.

The event proved, that both these able politicians had taken a wrong measure of men and of things; the audacity of Buckingham, which extorted submission from his masters, placed him in fact on surer ground with them than could have been attained by the caution which would have respected their prejudices and foibles, or the obsequiousness which would have cherished them.

At length the time arrived which was to put to the proof the spirit and temper of the king; to show whether he would dare to disgrace, when present, one against whom he had ventured to manifest extreme displeasure in his absence; whether he would suffer his son and Buckingham to gratify their own passions by breaking off the connexion, or compel them to respect his wishes by renewing an amity which had been disturbed indeed, but not yet destroyed;—whether, in short, the monarch was to obey or be obeyed. Early in the morning of October 6, the prince arrived with the duke at York house, and a few hours after they set out to join the king at Royston; their reception is thus described by the biographer of Williams:

...."The joy at the interview was such as surpasseth the relation. His majesty in a short while retired, and shut out all but his son and the duke; with whom he held conference till it was four hours

in the night. They that attended at the door, sometimes heard a still voice, and then a loud, sometimes they laughed and sometimes they chafed, and noted such variety, as they could not guess what the close might prove. But it broke out at supper, that the king appeared to take all well that no more was effected in the voyage, because the proffers for the restitution of his son-in-law were no better stated by the Spanish: And then that sentence fell from him, which is in memory to this hour; *That he liked not to marry his son with a portion of his daughter's tears.* His majesty," adds our author, "saw there was no remedy in this case, but to go hand in hand with the prince and his now præpotent favorite[a]."

The steps which followed were strongly characteristic of the headlong violence, the unmeasured scorn and indignity which Buckingham seems to have esteemed it almost a virtue to manifest towards the objects of his hostility. The unwelcome diligence of the earl of Bristol had succeeded in removing, almost as soon as it was raised, the pretended fear of the infanta's embracing a monastic life; and as a new pretext for quarrel was then rendered necessary, this minister,—before the end of the month of October, while the dispensation was indeed still waited for, but all other preparations were carrying on by the Spaniards with great diligence and perfect good faith,—received orders to require security

[a] *Life of Williams*, p. 165.

for

for the restoration of the palatine previously to delivering the proxy. This was a demand quite novel, and unwarranted by any stipulation; for James had from the first agreed that the interests of his son-in-law should not be made a subject of treaty till after the completion of the marriage. Yet the king of Spain, willing both to do honor to the negotiation of Bristol, whom he highly esteemed, and to throw on the English court the whole blame of the breach of faith which he anticipated, immediately delivered to the ambassador a written promise that the Palatinate should be restored. The concession did but embarrass men who were resolute not to be conciliated; and the unfortunate James, who had no longer a will of his own, was compelled to send with all speed to Bristol directions by no means to deliver the proxy till after Christmas; at which time the date of this power expired, and it became useless. Before the arrival of this order, the dispensation had been received at Madrid; and Bristol, unprovided of any excuse to do otherwise, had positively engaged to deliver the proxy, according to stipulation, within ten days; these days were nearly expired; it wanted little more than a fortnight of Christmas, and every preparation had previously been completed for the magnificent ceremonial of the espousals.

The king of Spain fully comprehended the insult implied in such proceedings; and disdaining all complaint or remonstrance, he immediately commanded his sister to lay aside the title of princess

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of England and the study of the English language, and commenced preparations for a war; clearly foreseeing that a declaration of hostilities would speedily ensue. The jewels, also, presented by the prince were returned.

Bristol, who had given unpardonable offence to the duke, and consequently to the prince, by his zealous efforts to prevent misunderstandings between the two courts, and, if possible, to carry through the treaty, speedily received letters of revocation. On his notifying the circumstance to Olivares, in presence of sir Walter Aston the British resident, and desiring an audience of leave, the Spanish minister delivered to him in pompous language a long message from his sovereign, purporting, that the king had been informed what hard measure the earl was likely to receive at his return, for no other crime than his earnestness in laboring to effect that marriage; which his majesty could not but take much to heart; that he held himself bound to publish to the world the good service done by his lordship to his own prince, and to mark his sense of it; and that count Olivares was empowered to offer his lordship a *carte blanche* in which he might set down his own terms: No estates, no honors, no dignities in the king of Spain's disposal should be denied him.

The British ambassador, with becoming spirit, replied; That he was sorry to hear such language offered to him;—that what he had done was by command of his master and without any intention to serve Spain, and that his catholic majesty owed him nothing:

nothing: That whatever reason he might have to fear the power of his enemies, he trusted in his own innocence and his master's justice; but were he sure to lose his head on his arrival, he would go to throw himself at his master's feet;—he would rather die on a scaffold at home than be duke of Infantado in Spain.—And as soon as the necessary arrangements could be completed, he began his journey[a]. Before his departure a sum of money was also offered him on the part of the king of Spain, which he was urged to accept on the plea that nobody would know of it. "Yes," he nobly replied, "one person would know of it, who would be certain to reveal it to the king of England, and that is the earl of Bristol[b]."

In the midst of all these affronts to the court of Spain, James himself, who, it is highly probable, was never fully apprised of all the circumstances of the case, still clung to his hopes of a favorable termination; but to every one else it was manifest that Buckingham had irrevocably decided that the prince should receive no bride from Spain: Charles adopted all his measures, and most of the privy-council and ministers of state from various motives followed the same course. A few, however, still ventured to withstand the impetuosity of the favorite, and openly to compassionate the sorrows of his too indulgent master, who mourned at once the ruin of his darling project for his son,—the destruction of his plan for bringing relief to the afflictions of his daughter,

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[a] *Cabala*, p. 41. [b] *Annals of James I. and Charles I.*

—and

—and the near prospect of exchanging that peace which he loved above all earthly blessings, for the difficulties and distresses of a war undertaken without justice, without necessity, without any reasonable object, and without funds for its support. Such was the softness and pusillanimity of this monarch's temper, that instead of inflicting upon Buckingham any outward mark of his displeasure, he continued towards him all his former demonstrations of confidence and affection, and suffered him to rule his court and his councils with a more imperious sway than ever. Yet the ingratitude of this creature of his love and bounty stung him deeply; he would often, in his absence, vent his feelings in bitter speeches against him, and his deep dejection was visible to every eye. "He continued at Newmarket, as in an infirmary, for he forgot his recreations of hunting and hawking; yet could not be drawn to keep the feasts of All-Saints and the fifth of November at Whitehall, being wont to show his presence at those solemnities. Against Christmas he drew towards the city, and no sooner[a]."

The king's first care, on coming to London, was to assemble a select council to deliberate on these two momentous questions: Whether the king of Spain had not been to the last, sincere with respect to the marriage? and whether in the treaty for the restitution of the Palatinate he had so far violated the league between the two kingdoms as to deserve

[a] *Life of Williams*, pp. 165. 167.

that

that open war should be declared against him? On the first question the council was unanimous, That though some craft appeared in the dealings of the Spaniards, especially where religion was concerned, and that their tediousness in the whole business was scarcely to be endured, yet there could be no doubt of their really intending the nuptials; but as the prince was pleased to assert that he had stipulated to be free from all his oaths and engagements in case the Palatinate were not delivered up to his brother-in-law, the council would not meddle further in the matter, holding him the best judge of his own honor.

The second question was contested with great vehemence: Buckingham was furiously bent on war; and when he found that he was not seconded, but that the sense of the council was, that the propositions of the king of Spain were worthy of approbation and no ground for hostilities, his impatient and arrogant spirit broke through all restraints, and rising up he "chafed against them from room to room[a]." The personages against whom these marks of rage were exhibited must be enumerated to give some idea of its indecorum and insolence. They were, the lord-keeper, the lord high-treasurer, the hereditary earl-marshal, lord Carew many years president of Munster and the greatest intimate of the earl of Salisbury; sir Arthur Chichester lord Belfast, who had borne the office of lord-deputy

[a] *Life of Williams*, p. 169.

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of Ireland with honor and success during half the reign of king James; and his majesty's two nearest kinsmen and chosen friends, the duke of Lenox and Richmond, who was also lord-steward of the household, and the marquis of Hamilton, who bore the same office in Scotland. Nor did the violence of Buckingham's temper admit of the ordinary excuse for the passionate, that he was soon appeased;—on the contrary, he was generally observed to fulfil with great exactness in cool blood all the menaces which he had uttered in his anger. The object of his keenest resentment on this occasion was the lord-keeper, whom he regarded as a rebellious dependant; and against whom he was the more provoked, because the king, in recompense of his attachment to himself, gave him about this time a written promise of the next presentation to the archbishopric of York. Ecclesiastical benefices could not be forfeited; but the custody of the seals, the duke told himself, should not long remain with a man who, amid his general subserviency, had dared to act in one instance upon his own judgement and the known wishes of his sovereign. The lord-treasurer, for similar reasons, was doomed to fall by the hand which had raised him; nor was the accomplishment of his destiny long deferred. To lord Belfast, the next time he saw him, the duke disdainfully applied thequestion, "Are you turned too?" and flung from him; but his lordship appears to have made his peace soon after, by communicating to Buckingham the steps secretly taken by the Spanish ambassadors

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to obtain a private audience of the king for the purpose of counteracting his designs.

Finding himself thus environed with dangers open and secret, and unable as yet to overpower the opposition in the council, which was likely also to receive a further and most formidable accession when the earl of Bristol should return to make his own defence and that of the king of Spain, before a master already prepossessed in his favor and impatient for his appearance,—Buckingham judged that his best resource was an appeal to parliament; and he became an earnest suitor with the king for the speedy convocation of this assembly. Few arguments were necessary to this effect; the inordinate expenses attendant on the prince's journey to Spain, which had not been compensated, according to James's expectation, by the marriage portion of the infanta, for which he had been promised no less a sum than 800,000*l*., had left the monarch indeed a bankrupt; and no resource was left but that of throwing himself on the liberality, or compassion, of his people.

In the mean time Buckingham, abandoning the arbitrary courses and high prerogative maxims in which he had been initiated under the tuition of his royal master, began to practise the new part of a patriot: he paid court to lord Say, the earl of Southampton and other popular peers; sought the good opinion of the leaders of the country party in the house of commons, and flattered the puritan divines; and since he had failed of securing the gratitude of the

the king by making the marriage, he now determined to seize the applauses of the people for breaking it.

The parliament was summoned for February 12th, 1624; but the sudden death of the duke of Lenox and Richmond, which was announced to the king when he was actually robed and expecting his attendance to the house of lords, caused the opening of the session to be deferred for a week. This peer was second cousin to James, and son of the earliest and best of his favorites, Esme Stuart lord d'Aubigny. Immediately after his father's death the king had sent for him over from France, his native country, caused him to be carefully and liberally educated, put him in possession of the estates and offices of his ancestors, and finally advanced him to the dignities of high-chamberlain and admiral of Scotland. On attending the king to England, Lenox became first gentleman of the bed-chamber, steward of the household and knight of the garter, and was created earl of Newcastle: his latest honor, an English dukedom, was conferred upon him by James to diminish the envy to which Buckingham stood exposed as the sole peer of that exalted rank in England. The situation of the duke of Richmond gave him constant access to his master without the envy of a favorite; and his mild and unassuming character conciliated general regard; he preserved the affection of his royal kinsman without interruption to his latest breath; and at this critical juncture, when the afflicted monarch seemed to stretch

stretch out his arms to his old contemporary friends and servants for protection against the youthful arrogance of a minion who ruled and despised him, the loss of a dear kinsman fell on his heart with overpowering weight, and appeared to him a presage of his own dissolution.

The tone of the king in addressing the parliament was surprisingly lowered: instead of prohibiting the house of commons from interfering with his son's marriage, as a matter above their reach, he now invited them to deliver their opinions on a subject of such importance to the country: he forbore to speak of the negotiation with Spain as finally broken off, but referred to the prince, and especially to Buckingham, on whose conduct he bestowed the most unmerited commendations, for a particular narrative of the transactions in Spain. Of the state of religion, and the situation of his daughter and her children, he also spoke as matters fit for the deliberation of parliament; and after an earnest and solemn protestation that never king had governed "with a purer, sincerer, and more incorrupt heart" than himself, he thus proceeded:—"It hath been talked of my remissness in maintenance of religion, and suspicion of a toleration: but, as God shall judge me, I never thought nor meant, nor ever in word expressed, any thing that savored of it. It is true, that at times, for reasons best known to myself, I did not so fully put those laws in execution, but did wink and connive at some things which might have hindered more weighty affairs; but I never, in all my

my treaties, ever agreed to any thing to the overthrow and disagreeing of those laws; but had in all things a chief preservation of that truth which I have ever professed." How far this large and explicit disclaimer can be made consistent at once with truth and with the private articles of the marriage treaty sworn to by the king, and his projects of dispensing with all the penal laws against catholics, the reader will decide.

For a full account of the negotiations in Spain, the king referred the parliament to Buckingham; and the members of both houses being soon after convened at Whitehall, the duke gave them a long narrative of these transactions, the prince standing by, and occasionally assisting him with some particulars, as well as attesting the truth of the whole. It may be affirmed without scruple, that this relation was partial in all respects and absolutely false in several; and the most earnest advocates for the character of Charles have found no other means of clearing him from the imputation of concurring in a scandalous deception, than supposing him incapable, at the age of three-and-twenty, of distinguishing the truth of things of which he was an eye and ear witness, when disguised by the angry and artful misrepresentations of his attendant and guide[a]. The duke affirmed in effect that nothing was done in the treaty till he and the prince arrived at Madrid; that the Spaniards were insincere in the matter from first

[a] See the concessions and apologies of Hume.

to

to last; that the prince endured much ill-treatment from them, and returned at last hopeless of obtaining either the hand of the infanta or the restitution of the Palatinate. Had the earl of Bristol been present to defend his own contrary statements to his sovereign, or had any authentic documents of the treaty been produced, the falsehood of these assertions, already betrayed by their many and glaring inconsistencies, would have become manifest to every eye;—but the passions of the hearers combined with the authority and assurance of the speaker to render the deception triumphant.

The Spanish ambassador, justly indignant at these authorised calumnies upon the integrity and good faith of his master, solemnly appealed against them and demanded the head of Buckingham by way of satisfaction: the house of lords however, without so much as offering the ambassador a hearing, justified the duke's relation; and proposed to signify their approbation of it to his majesty by a committee of the whole house, in order that the duke might be encouraged to proceed in what they called his faithful services to the state. Similar feelings prompted the house of commons also to present an address to the king, declaring that nothing had been spoken by the duke derogatory to the honor of the king of Spain; and expressing their thanks to him for the fidelity and industry evinced in his narration. A slight sentiment of jealousy appears in the king's reply. He tells the house, that the nobleman in question was in no want of any sponsor for his fidelity,

lity, or right conduct of the business. That in fact to send a man on so great an errand whom he was not resolved to trust with the carriage of it, would have been a fault in his discretion scarcely compatible with the love and trust which he bore him. He adds; "The greatest fault (if it be a fault) or at least-wise the greatest error, I hope he shall ever commit against me, was his desiring this justification from you; as if he should have need of any justification from others towards me; and that for these reasons: First, because, being my disciple and scholar, he may be assured I will trust his own relation. Secondly, because he made the same relation unto me which he did afterwards unto both houses; so as I was formerly acquainted both with the matter and manner thereof." In the end however, his majesty is pleased to say, that he is glad the duke has so well satisfied the house, and that he thanks them heartily for taking it in so good part.

The next step was an address from both houses to the king, carried without a single dissenting voice in either, expressing their judgement that his majesty could not in honor proceed in his treaties with Spain either for the marriage or the restitution of the Palatinate. The king answered this communication by a speech in which his still-subsisting reluctance to plunge into a state of war is very discernible. He represents the embarrassed state of his own affairs, and the many and great charges resting upon him; the vast expense incurred by the prince's journey to Spain; the cost to which he

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is put by the maintenance of his children abroad, who "eat no bread" but by his means, the burden of a great debt to the king of Denmark, the necessity of securing Ireland, of strengthening the navy, and of subsidising both the protestant powers of Germany and the Dutch, if any assistance is sought in these quarters for the recovery of the Palatinate. His majesty concludes by professing his perfect readiness to listen to the advice of parliament in the matter of peace and war, provided they will supply him with the funds necessary for carrying on hostilities; but remarks, that to declare war without the means of supporting it, would be to show his teeth and do no more.

Upon this intimation the parliament offered the king three subsidies and three fifteenths, not for the relief of his private wants, of which they thought proper to take no notice, but specifically for the purpose of making war against the Spaniards. The archbishop of Canterbury was nominated by a committee of both houses to announce to his majesty this conditional grant; and the severe reflections against the conduct of Spain in which his zeal led him on this occasion to indulge, extorted the following remarkable protest from the king; who now found reason to repent the sanction which he had weakly and culpably lent to the pernicious impostures of Buckingham. "I have nothing to say to the preamble of my lord of Canterbury, but that he insinuated something in it which I cannot allow of; for whereas he said, I have showed myself sensible of the

insincerity of those with whom I lately had to deal, and of the indignity offered to my children; in this you must give me leave to tell you, that I have not expressed myself to be either sensible or insensible of the good or bad dealing; it was Buckingham's relation to you which touched upon it; but it must not bar me, nor make Jupiter speak that which Jupiter speaks not: for when I speak any such thing, I will speak it with that reason, and back it with that power, which becomes a king." Still struggling to avert the evil which his own feebleness of conduct had now rendered inevitable, the king proceeded to state; that much larger supplies of money than those already voted would be required to meet the exigencies of a state of warfare; and to name five subsidies and ten fifteenths for the war, and one subsidy and two fifteenths yearly for his own expenses, as the terms on which alone he should be willing to indulge the wishes of his people. He also hinted something respecting unsatisfied scruples of honor and conscience;—but the words were hastily, and, as it seems, not very respectfully, taken up by the prince and the duke, who averred that the king had to them declared himself satisfied in these respects.

Hunted thus through all the turns and doubles of his boasted king-craft, which ill supplied the place of manly courage and consistent wisdom, the unhappy monarch was compelled at last to yield; and seeing, feeling and deploring the rashness and the guilt in which he was making himself a deep partaker, consented

sented to accept the insufficient supplies offered him, and to declare war. The headlong multitude testified their senseless and unfeeling joy by bonfires and bell-ringing; the duke was rewarded for his falseness to his trust and his ingratitude to his sovereign and benefactor, by becoming the idol of a deluded and fanatical people; and a dupe much less excusable,—sir Edward Coke,—called him in the house of commons, the Saviour of the nation[a].

The tone which this new tribune of the people now ventured to assume towards his master, will best be learned from the following letters:

"Dear dad and gossip,

"Notwithstanding this unfavorable interpretation I find made of a thankful and loyal heart, in calling my words crude Catonic words, in obedience to your commands I will tell the house of parliament, that you having been upon the fields this afternoon, have taken such a fierce rheum and cough, as not knowing how you will be this night, you are not yet able to appoint them a day of hearing; but I will forbear to tell them, that notwithstanding of your cold, you were able to speak with the king of Spain's instruments, though not with your own subjects. All I can say is, you march slowly towards your own safety, [and] those that depend of you. I pray God at last you

[a] For the passages of the king's speeches and parliamentary proceedings cited above see Rushworth's *Collections* under the year 1624.

may attain to it, otherwise I shall take little pleasure in wife or child, though now I am suspected to look more to the rising sun than my maker.

"Sir, hitherto I have tied myself to a punctual answer of yours; if I should give myself leave to speak my own thoughts, they are so many, that though the quality of them should not grieve you, coming from one you wilfully and unjustly deject, yet the number of them are so many, that I should not give over till I had troubled you; therefore I will tie myself to that which shall be my last and speedy refuge, to pray the almighty to increase your joys, and qualify the sorrows of your majesty[a]."

Some time afterwards we find him writing in a more peremptory style, as follows:

"Having more business than was fit to trouble you with in a letter, I was once resolved to have waited on you myself, but presently came to me the news of the Spanish ambassador's going to you, which hath diverted this resolution at this time, because I will not increase that in you of which I have already found too much; and that I will not let the ambassador himself think that you are distrusted, though this gives enough and too much to your people. I have to ease your labor writ some things to my lord of Arran, by whom I likewise expect my answer. Only I will trouble yourself with this, that I beseech you to send me your plain and resolute answer,

[a] *Micellaneous State Papers*, vol. i. p. 460.

whether,

whether, if your people so resolve to give you a royal assistance, as to the number of six subsidies and fifteenths, with a promise after, in case of necessity, to assist you with their lives and fortunes; whether you will not accept it, and their counsel, to break the match with the other treaties; and whether or no, to bring them to this, I may not assure some of them underhand (because it is feared that when your turns are served, you will not call them together again to reform abuses, grievances, and [for] the making of laws for the good government of the country) that you will be so far from that, that you will rather weary them with it, desiring nothing more than their loves and happiness, in which your own is included. Sir, I beseech you to think seriously of this, and resolve once constantly to run one way. For so long as you waver between the Spaniards and your subjects, to make your advantage of both, you are sure to do it with neither.

"I should for my own contentment (though I am sure I do you some service here, and would be able, if you would deal heartily and openly with me, to do more,) wait upon you oftener, but that you going two ways, and myself only one, it occasions so many disputes, that till you be once resolved, I think it is of more comfort and ease to you, and safer for me, that I now abide away. For to be of your opinion would be flattery, and not to speak humbly mine own would be treachery; therefore I will at this time, with all the industry of my mind, serve you here, and pray for the good success of that, and the lengthening

lengthening of your days, with all the affection of his soul that will live and die a lover of you.

"Your majesty's most humble slave and dog,

"STEENIE[a]."

To this letter were appended some hints for a popular speech of the king to parliament, of which the most remarkable is, a promise that his majesty, to show his sincere dealing, would be content that the parliament should choose a committee to superintend the issuing out of the monies granted for the conduct of the war. James found himself compelled to adopt this suggestion, however unprecedented and however humiliating; and we find the proposal made in his next speech to the parliament, qualified however by the statement, that he must have a secret council of war, to whom alone the knowledge of the destination of particular sums could with safety be intrusted.

In the same speech the following odd expression also occurs....."Though I have *broken the necks of three parliaments one after another*, I hope that in this parliament you shall be resolved of the sincerity of my heart, and of your duties and affections, that this shall be a happy parliament, and make me greater and happier than any king of England ever was." His concluding sentence is marked with strong feeling and ends with a hint which the conscience of Buckingham might apply. Referring to

[a] *Miscellaneous State Papers*, vol. i. p. 466.

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the Palatinate, he says, "Assure yourselves my delay hitherto was upon hope to have gotten it without a war. I held it by a hair, hoping to have gotten it by a treaty; but since I see no certainty that way, I hope that God who hath put it into your hearts thus to advise me, and into my heart to follow your advice, will so bless it that I shall clear my reputation from obloquy; and in despite of the devil and all his instruments, show that I never had but an honest heart. And I desire that God would bless our labors for the happy restitution of my children; *and whosoever did the wrong, I deserved better at his hands*[a]."

The next offensive act of Buckingham towards Spain and towards his master, was his zealous promotion of a "stinging petition," as James called it, of the two houses against popery; by which the king was prayed to put all the penal laws in strict execution; to banish all priests and jesuits, to prevent the education of the children of recusants in their own faith; to enforce all the severe restrictions under which such persons were laid; to connive no longer at their resort to the chapels of ambassadors, and never in future to grant them any indulgence at the intercession of any foreign prince, or in consequence of any marriage treaty. James found it expedient to give a complying answer to these unwelcome requisitions; he remarked however that the laws had already done all that was desired; com-

[a] Rushworth, vol. i. p. 140.

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plained a little of the suspicions and slanders to which his dislike of religious persecution had exposed him, and solemnly repeated his false protestation that he had never designed to dispense with the penal laws.

The Spanish ambassadors had long been watching for an opportunity to retaliate all these ill-offices upon Buckingham, through the instrumentality of the king, whose heart they were well assured was still fixed upon the friendship and alliance of their master. They frequently desired private audience of his majesty for this purpose, but were as often disappointed by the vigilance of the prince and the duke, who never quitted the room for a moment during these conferences. At length the marquis Inoioso, while his colleague don Carlo de Colonna held the prince and Buckingham in earnest discourse, found means to slip into the king's hand a paper which he made signs to him to read alone.

It was the purpose of this alarming communication to announce to James, that he was unacquainted with what passed in parliament and in the court;—that the prince and Buckingham surrounded him with their own instruments, and shut him up from all faithful servants who would inform him truly; and that he was as much a prisoner in his own court as ever king John of France was in England, or king Francis at Madrid: That there was a violent machination in hand which had turned the prince into a course quite contrary to his majesty's wishes and intentions: That a scheme had been laid at Madrid the last summer, and ripened since, for restraining

straining his majesty from the administration of his three kingdoms, and that the prince and duke had appointed such commissioners under themselves as should "intend great affairs and the public good." That this was to be effected by beginning a war, keeping troops on foot in the country, and bringing his majesty into straits for want of money to pay them. That his majesty's honor, nay his crown and safety, depended on a speedy dissolution of parliament. The duke was also charged with many crimes and misdemeanors;—as, bringing his master into contempt for addiction to an inglorious peace and insensibility to the wrongs of his daughter and her children,—betraying his majesty's secrets, and especially divulging some close designs of his in concert with the king of Spain respecting the Hollanders;—most corrupt dealings with the ambassadors of different princes;—much misconduct in Spain and violent opposition to the match;—and a courtship of the turbulent faction in parliament, by which they were excited to their present headlong courses. Some still graver articles of accusation, probably relating to counsels given to the prince, the biographer of Williams, who found notes of them among his patron's papers, tells us that he has suppressed[a].

A postscript to this formidable denunciation requested the king to admit the secretary of the ambassador to give him further explanations, at some time when the prince and the duke should be en-

[a] *Life of Williams*, pp. 195, 196.

gaged

gaged at the house of lords. James's anxiety led him to comply with this proposal; and the secretary, and afterwards a jesuit, were secretly brought to his presence by his old servant the earl of Kelly. The terror and perplexity of the king after these conferences was extreme; and, incapable of any manly and decided part, he resorted to the dangerous half-measure of throwing out mysterious and broken speeches to his son and Buckingham, which, by putting them upon making inquiries, led them to the discovery of his private interviews with the Spanish agents.

In the midst of his agitation on this occasion, James had determined to remove from London to Windsor; the prince had followed him into his carriage, and Buckingham was just stepping in also, when the king, on some slight pretence, ordered him to stay behind. The duke, with ready tears, besought his master to tell him how he had offended: he could obtain however no explanation; but the king wept much, and complained that he was the unhappiest man alive to be forsaken of them who were dearest to him; at which the prince and Buckingham thought proper to weep also, but, in the end, the royal carriage drove off without the duke.

The lord-keeper, who had his scouts every where, was instantly informed of the disgrace of the favorite; and no sooner had he heard it than, fortunately for the duke, he resolved to gain to himself the credit of restoring him. He arose, hastened to him at Wallingford house, was admitted with some difficulty,

culty, and found him stretched on his couch in an attitude of despair. After a deep protestation that he came to do him service, the lord-keeper urged the duke to lose no time in following the king, "to deport himself with all amiable addresses, and not to stir from his person night nor day." The danger, he told him, was, that some persons should get access to his majesty who would push him to break utterly with the parliament; their next attempt would be, to send the duke to the Tower, after which no one could foresee the event. He enjoined him secrecy and dispatch in the prevention of the threatened danger. The duke took the counsel, hurried to Windsor, and waited on the king like his shadow. Early the next morning the prince was waiting for the lord-keeper at the house of lords, and taking him aside thanked him heartily for his faithful warning to the duke, adding, that he would oblige them further, by opening the whole of that black contrivance which had lost Buckingham, and almost himself, his father's favor. Williams answered that he only knew in general, that four days since something pernicious had been infused into his majesty by some one belonging to the household of the Spanish ambassador. The prince wondered that one who had such intimate acquaintance and good intelligence in that household could not inform him of the particulars. Williams answered, that his highness and the duke *"had made it a crime to send to that house, that they were afraid to do it who were commanded by his majesty,"* and that for a month past

past he had forbidden the servants of the embassy to come to him. The prince promised *to make that passage open to him again without offence*; but in the mean time desired to know the source of his present intelligence. Thus urged, the right-reverend politician, premising that another would perhaps blush to tell with "what heifer" he ploughed, acknowledged that he had discovered the beauty most admired by his good friend Carondelet the ambassador's secretary; and that all this information came out of her chamber; adding; "Truly, sir, this is my dark lanthorn; and I am not ashamed to inquire of a Dalilah to resolve a riddle;" for in my studies of divinity I have gleaned up this maxim, *licet uti alieno peccato*,"—It is lawful to avail ourselves of the sins of another. In the meantime, the prelate well knew that Carondelet himself was not impenetrable, and that if he could entice him to his house without putting him upon his guard, he might sift out what yet remained of the secret on which the prince laid so much stress. Accordingly, after a little pondering, he sent for his pursuivant, and gave him orders to arrest a certain catholic priest whom he described. This priest was the dearest friend of the Spanish secretary; and, as the lord-keeper expected, the news of his apprehension soon produced a most earnest request from this functionary to be admitted to his lordship that day, though he should never see his face again. After a discreet show of reluctance, the favor was granted. The secretary begged the discharge of his friend, obtained

tained it, after much importunity, and in return betrayed to the artful questions of the lord-keeper the whole story of the plot against Buckingham, and the particulars of what had been communicated to the king.

Williams spent the rest of the night in committing to paper these charges against the duke, confronted by the best answers he was able to devise; and such was his readiness, that by seven in the morning "he had trimmed up a fair copy, which he presented to the prince in St. James's, and told him he had the viper and her brood in a box." Thus prepared, the prince and Buckingham desired a private audience of the king, and gave the paper into his hand: "he read all deliberately, and at many stops said, *'twas well, very well,* and an enlivening spirit danced in his eye. Then he drew his son and Buckingham near to him, and embraced them, protesting that it sorrowed him much that he had aggrieved them with a jealousy fomented by no better than traitors; assured them the exhalations were dispersed, and their innocency shined as bright as at noon-day[a]."

The results of this complicated intrigue were important: the Spanish ambassador, after receiving a severe reprimand from the privy-council, quitted the kingdom in haste and anger; the king dropped all further negotiation, open or secret, with the agents of Spain, clearly perceiving that the breach had be-

[a] *Life of Williams*, p. 195 et seq.

come

come irreparable; and the duke, having triumphed over the suspicions and disgusts of the easy king, and firmly established his influence over the prince and his credit with the parliament, carried every thing before him and revenged himself on all his enemies. The lord-keeper alone, by this timely piece of service, obtained some suspension at least of the sentence which the duke had secretly passed upon him.

It was at this time that the prince and Buckingham undertook the ruin of the lord-treasurer, whom they procured to be impeached by the house of commons for corruption in his office: the king was very averse to this step; and his reasons against it, as preserved by lord Clarendon, were replete with a prophetic sagacity worthy of a Cecil or a Bacon:— "When this prosecution was entered upon," says the noble historian, "and that the king clearly discerned it was contrived by the duke, and that he had likewise prevailed with the prince to be well-pleased with it; his majesty sent for them, and with much warmth and passion dissuaded them from appearing further in it; and conjured them 'to use all their interest and authority to restrain it, as such a wound to the crown that would not easily be healed.' And when he found the duke unmoved by all the considerations and arguments and commands he had offered, he said in greater choler, 'By God, Stenny, you are a fool, and will shortly repent this folly, and will find that, in a fit of popularity, you are making a rod with which you will be scourged yourself:'

and

and turning in some anger to the prince, told him, 'That he would live to have his bellyful of parliament impeachments; and, when I shall be dead, you will have too much cause to remember how much you have contributed to the weakening of the crown, by the two precedents you are now so fond of;' intending as well the engaging the parliament in the war, as the prosecution of the earl of Middlesex[a]."

Finding all his warnings thrown away upon his son and that son's favorite,—he was no longer his own,—the king condescended to intercede with several of the peers in behalf of the unfortunate lord-treasurer; but with small success; the prince made it a personal favor to himself to vote against him; the treasurer was little loved, and his master less feared. The acts of bribery charged upon him were few and slight, and even these were apparently not very clearly proved; yet lord Hollis alone had the courage and the equity to speak in his behalf. Besides the loss of his place, he was sentenced to pay a fine of 50,000*l.*, declared incapable of sitting in the house of lords, and committed to the Tower during the pleasure of the king, who liberated him immediately,—the only act of lenity which he was allowed to perform.

The earl of Bristol's turn came next. The duke dreaded nothing so much as that this upright and injured nobleman, with whose courage and ability

[a] *History of the rebellion*, vol. i. p. 20.

he

he was well acquainted, should obtain an audience of the king, who, on his part, longed exceedingly for his return, and seemed to expect that his presence would impart to him the courage to shake off the ignominious yoke of an encroaching minion. Several successive intimations were conveyed by the duke to Bristol of the dangers which awaited his return, and he was distinctly told, that if he did not remain in Spain and embrace the offers there made him, it should be worse for him. But the spirit of the earl was above intimidation; he pursued his journey through France, and when arrived at Boulogne he sent to desire that a king's ship might be ordered out for his conveyance; this customary honor was promised; but finding no prospect of performance, the earl, after waiting a week, threw himself into an open boat and was thus landed at Dover. Buckingham exerted all his influence to cause him to be immediately committed to the Tower; but on this point the king was inflexible; he consented however to send an order to Bristol not to appear at court, or quit his own house, till he should have answered certain interrogatories which would be ministered to him by some members of the privy-council.

Buckingham and his friends pretended that no mischief was meant to the earl by these proceedings, and that he was only restrained to prevent a more violent attack upon him by the parliament: but an effectual contradiction was given to these assertions by the conduct of Bristol, who, after returning an answer

answer to the interrogatories, and addressing a letter of justification to the king, so clear and forcible that no impartial person can peruse them without receiving a strong impression of the goodness of his cause, continued openly and vehemently to charge the duke with falsehood and imposture in his narrative to the two houses, and to demand a public trial of their differences. Such justice, however, he could not at this time obtain; and Buckingham insisted much with the king that he should be brought to submission and required to acknowledge himself in fault: James, to his honor, steadily refused, saying, "I were to be accounted a tyrant to engage an innocent man to confess faults of which he was not guilty[a]." The matter was thus spun out till the prorogation of parliament, after which the earl was permitted to come to London on his private affairs; but the interdict of Buckingham was still of force to exclude him from the presence of his master.

Some public benefit accrued from the popular counsels which James had been constrained equally against his principles and his inclination to adopt. The parliament was suffered to carry a declaratory act against monopolies, and against dispensations from the penal statutes;—a strong bulwark against a most odious species of oppression and exaction,—and an act was passed for the relief of persons exposed to vexatious prosecutions for neglects in complying with the forms of wardship. Many more

[a] Coke's *Detection*, pp. 139, 140.

grievances remained to be discussed; but the house had no sooner commenced some inquiries into these matters than the king, rallying his spirits, gave them to understand that though they were to apply redress to some known grievances, they were not to go on seeking after more; and seeing no probability of their voting any further supplies for the relief of his private necessities, he prorogued them, on May 29, to the month of October; when the parliament was dissolved.

CHAPTER

CHAPTER XXV.

1624, 1625.

General rejoicing on the change of measures.—Disappointment.—Marriage treaty with France.—Feeble preparations for war.—Troops sent to serve with the Dutch.—Expedition fitted out under Mansfeldt.—Its complete failure.—Sickness and death of king James.—His works and character.—Anecdotes of him.—His funeral sermon by Williams.—Translation of the bible under his auspices.—Conclusion.

THE signal change of measures which had ensued upon the return of the prince and Buckingham had been received with applause as general as sincere and cordial; and it was less the voice of a party than of the English people which had hailed the breach of the Spanish treaty as a great national deliverance, triumphed in the declaration of war as an important assertion of the protestant cause, and elevated the arrogant and unprincipled favorite by whose ungovernable will these acts had been forced upon his reluctant sovereign, into a patriot, a hero, a saviour of his country. A short lapse of time was sufficient to evince the folly of such premature exultation and ill-placed enthusiasm.

The dissolution of parliament, which had put a stop to any further investigation of domestic grievances, was also the signal for a relapse, on the part

of the government, into all that was most offensive and unpopular in the spirit of its former policy. Buckingham hastened to throw off the mask of patriotism and protestant zeal which it had suited him for a time to assume; and it soon appeared, that one catholic match had only been abandoned in favor of another, negotiated on terms equally dangerous in a religious point of view, and recommended by fewer temporal advantages; and that an inglorious peace was only exchanged for a war, with all its inseparable evils, which the want of energy and of practical wisdom inherent in the character of the monarch and his government, must render not merely inglorious, but disgraceful and calamitous.

No sooner had the prince returned from his unsuccessful journey to Spain than his views were directed towards the princess Henrietta Maria of France, daughter of Henry IV. and sister of the reigning monarch Louis XIII., as the only bride worthy of him; and before the Spanish treaty was actually broken off, Henry Rich lord Kensington, brother to the earl of Warwick, was sent to Paris to sound the dispositions of the French court. That situation of the negotiation with Spain which prevented his being furnished with credentials to Louis, did not at all diminish the cordiality of his reception; and such was the encouragement which his overtures received from the king, and especially from the queen-mother, that he was soon enabled to assure his patron the duke of Buckingham of the certainty of the prince's success whenever he should find

find himself at liberty to make his proposals in form. He added, that none of those requisitions would be made by the court of France in behalf of the catholics in England, which had thrown so many difficulties in the way of the Spanish alliance.

In consequence of so favorable a report, lord Kensington, created earl of Holland on the occasion, was joined in commission with the earl of Carlisle to negotiate the marriage, and it was hoped that a very short time would suffice to bring the matter to effect; but it soon appeared, that even French promptitude and French address, seconded by the most hearty good will in the cause, were unable to overcome, without considerable delay and difficulty, the obstacles which the difference of religion opposed to the connection. James had just been compelled by the remonstrances of his parliament to put in strict execution the penal laws, and to enforce all the restrictions upon recusants; and the catholics no sooner felt the yoke than they carried their grievances to the king of France, loudly complaining, that whilst the negotiation with Spain had procured them entire impunity and almost a toleration, the present treaty appeared rather to aggravate their afflictions. These representations produced their effect, and Louis was at length induced to send the archbishop of Ambrun to England to intercede in their behalf. This emissary was highly favored by Buckingham, and received important assistance from his mother, from his father-in-law the duke of Rutland, and from other leading catholics, who furnished him

him with all the knowledge of persons and things essential to the success of his negotiation.

James, according to his usual policy, received the archbishop very graciously, talked to him in a style calculated to lead him to the opinion that he regarded the points of difference between the churches as of little or no consequence, expressed much respect for the pope, liberated several recusants who had been imprisoned since the petition of the house of commons, and even gave his permission to the archbishop to administer the rite of confirmation, at the hotel of the French ambassador, to all persons who should apply. The prelate affirms, in his own memoirs, that their number amounted to ten thousand.

Meantime, as the negotiation proceeded, the French ministers began to advance in their demands; and refusing to accept as a basis the treaty formerly commenced between prince Henry and the princess Christine, insisted on taking for their model the articles of religion conceded in behalf of the infanta. On the other hand, the portion promised to the French princess was no more than 100,000*l.*, an eighth only of that promised with the daughter of Spain. While this part of the business was settling, the pope was applied to for a dispensation; and as his political views led him to disapprove the match, he evinced a determination to raise as many difficulties, to stickle for as many advantages to his church, and to interpose as many needless delays as possible. At the same time, the nuncio did not fail to repre-

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sent to cardinal Richelieu, who on a change of ministry had succeeded to the management of the treaty, that his own honor, no less than that of his holiness, was concerned in abating nothing of the stipulations obtained by Spain; and that the dispensation would assuredly be granted on no other terms. These terms were in fact conceded by the English ministers, after some show of reluctance, with little change or diminution on any point, and with the fatal addition, that the mother should conduct the education of the children to the age of thirteen. But the pope was not yet satisfied; and he would still have protracted the affair, perhaps for years, had not Richelieu, who, cardinal as he was, felt little inclination to sacrifice any political advantage to an extreme deference to the head of the church, cut the matter short by an intelligible hint that a dispensation would not be regarded as essential to the completion of the nuptials. To this argument the pope yielded; and the marriage articles were signed at Paris on November 10th 1624. The preparations for the celebration were probably begun immediately, but they were not concluded in time to allow king James the satisfaction of witnessing the nuptials of his son;—that darling object of his parental solicitude on which he had bestowed so many costly embassies, so many years of diplomatic diligence.

The prince and Buckingham had been impatient to open their treaty with France chiefly in the hope of engaging that power in a league with England against

against the house of Austria, and thus securing an important co-operation in the attempts for the recovery of the Palatinate. But the duke of Bavaria, who had received from the emperor a grant of this conquered territory and of the dignity of elector, possessed much stronger influence at the court of France than the ruined and exiled palatine; and when the earl of Carlisle opened this part of his commission, it was coolly observed, that the league would most conveniently be treated separately from the marriage, and after its conclusion. Buckingham and his creatures were guilty of the negligence and credulity of suffering this palpable evasion to pass in silence, trusting to general assurances of friendship and promises of assistance,—the fallacy of which was perceived and deplored too late.

In the mean time, all the preparations for war were conducted with a remissness and inefficiency which contrasted strangely with the rash and violent spirit in which hostilities had been declared. It had been calculated that the supplies granted by parliament were enough to levy and support an army of 25,000 men; yet it was judged a sufficient effort to send a body of 6000 men, during the summer of 1624, to act under the orders of the prince of Orange in Holland. This force consisted of four regiments, commanded by the earls of Oxford, Southampton and Essex, and lord Willoughby, all gallant men, who sought nothing so earnestly as an occasion of redeeming the military character of the nation. But the caution of prince Maurice, who felt

felt himself overmatched by that great general Spinola, allowed them no opportunities, excepting a few skirmishes, of exhibiting their valor. Breda was taken before the eyes of Maurice, who, having failed on his part in an attempt upon the castle of Antwerp, left the army sick with chagrin, and died at the Hague soon after.

Towards winter, count Mansfeldt, whose activity and fertility of resource as a partisan had been the sole means of keeping on foot a force in behalf of the unhappy palatine, came to England, and it was agreed to place 12,000 men under his command, with whom he was to penetrate into the Palatinate. The administration rashly took for granted that the French, who had made some vague professions of their good will to the cause, would receive these forces with open arms and join them with a considerable body of horse; but on arriving off the French coast they were encountered by a prohibition to land till the French court should have resolved further in the affair. After a troublesome delay, Mansfeldt found himself compelled to make sail for the coast of Holland; but here the same want of previous arrangement produced similar difficulties: provisions were said to be scarce; it was feared that the unexpected arrival of these troops might cause a famine in some of the Dutch towns; and the feelings of this cold and cruel people, whose commercial jealousy of the English had lately prompted the atrocities perpetrated upon a few defenceless strangers at Amboyna, were little moved by the sight of their distress,

distress, cooped up on board foul and crowded transports calculated only for the passage from Dover to Calais. A pestilence broke out on board these vessels, and, while the Dutch were deliberating, swept off more than half the men; the remainder, sick, feeble, disspirited and too few for the enterprise, were relanded on their own coasts, where most of them took the first opportunity of deserting[a]. Such was the event of the only military expedition by which the reign of James I. was distinguished!

That long and peaceful reign was now drawing fast to its close. The health of the king had been shaken by repeated attacks of the gout, produced or aggravated by his habitual intemperance in the use of strong and sweet wines: his lameness and his increasing corpulency had precluded him from the use of his customary exercises of hunting and hawking; and the chagrin and disquiet to which he had been a prey from the first proposal of the ill-fated Spanish journey, had increased his bodily indolence and exasperated his constitutional maladies. Under these circumstances he was seized, early in the spring of 1625, with a tertian ague; and, notwithstanding the encouraging assurances of those around him, he soon became sensible that his end was approaching. Even on his death-bed the wilfulness and presumption of Buckingham continued to afford him fresh proofs how much his extravagant favor and fondness had been misapplied. The duke, and that rapacious and intriguing woman his

[a] Rapin's *History*, under the year 1624.

mother,

mother, were distinguished patrons of empirics; who in those days commonly professed alchemy and fortune-telling also, and thus fastened by a treble hold on the weakness of human nature. One of these quacks furnished the countess with a plaister and a drink, which he affirmed to be sovereign remedies for the ague; and in the absence of the physicians she and her son importuned the sick monarch to make trial of them. The application appeared rather to aggravate than soothe the sufferings of the patient, and the physicians, on their return, removed the plaister, and very properly refused to take upon themselves any responsibility if such interference were again permitted. Notwithstanding this declaration, the medical attendants had no sooner quitted the chamber, than the duke returned to the charge; the remedies were again applied, although the king, as it is said, expressed reluctance, and perhaps suspicion; and soon after he expired. This ill-advised and unjustifiable perseverance so speedily followed by a fatal event, was more than sufficient in that age to give rise to a suspicion of poison; and the next parliament, without directly countenancing the popular rumor, included it among the articles of impeachment drawn up against the duke, as an act of high presumption.

The king died with great decency and composure, and notwithstanding the displeasure which he had often entertained against Abbot on political grounds, it was by this primate that he chose to be attended in his last hours.

James

James expired at his palace of Theobalds on March 27, 1625, in the fifty-ninth year of his age, after a reign in England of twenty-two years.

It is agreed by all writers, that a monarch has seldom quitted the world less deplored by his subjects than James I.; his detractors ascribe this insensibility to his demerits, his panegyrists to the ingratitude of human nature; more impartial estimators may be inclined to compromise the difference, by saying that the intentions of this prince were better than his performance; and that the people, who suffered by his errors of judgement, were little inclined to accept, in so important a concern as the good government of the country, the will for the deed.

The praise of wisdom so profusely lavished upon this sovereign during his lifetime, appears, to those who study only the public history of his reign, peculiarly and eminently inapplicable. In England, he never succeeded in a single favorite object of his policy; and both his objects themselves and his modes of pursuing them were so repugnant to the feelings and judgements of his subjects, that he lost in the vain pursuit of them that for which no success could have indemnified him,—the general esteem and attachment. Yet to speculative wisdom the monarch might advance some plausible pretensions: It is true that in his writings and speeches there is much bad logic, and that he sometimes avails himself of arguments which might with more effect be turned against him; they are also blemished by many levi-

ties,

ties, indiscretions and even indecorums of expression, and by the quaintness and pedantry which were the vices of the age; but they still exhibit marks of acuteness, of reflection, and of a kind of talent. No one was more skilful in starting objections and foreseeing dangers and difficulties; and the event gave, in some instances, a character of prophetic truth to his warnings which must have been the result of genuine sagacity. In the arguments which he loved to hold with the scholars and divines who attended him at his meals, he often excited unaffected admiration; for his learning on the favorite topics of the time was considerable, his memory ready, his expression fluent; his replies were often happy, and his doubts and questions pertinent and well urged.

The "Apophthegms of king James," collected and published either during his life or soon after his death, are for the most part only of a moderate degree of merit; but some of his *bon-mots* are entitled to higher praise: the most favorable specimen of them is perhaps his exhortation to some insignificant person on whom he was conferring the honor of knighthood, while his sheepish looks proclaimed his own sense of his unworthiness to sustain this dignity:—"Hold up thy head, man, I have more cause to be ashamed than thou!"

In his youth, the monarch paid homage to the muses; he ventured to indite a love sonnet to queen Elizabeth,—of which however she did not deign even to acknowledge the receipt,—and he published

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at Edinburgh a poem called the Furies translated from Du Bartas,—a French writer of temporary celebrity;—a heroic poem on the battle of Lepanto, and several other pieces. The style of the royal poet strongly resembles that of the noted Sternhold, nor was his imagination more brilliant than his diction.

One of the offices which James was most fond of assuming, was that of an examiner of delinquents; and in this capacity, where his real skill and ingenuity were aided by the awe which royalty inspires, and by his contempt for the maxim of English law which protects suspected criminals from answering questions dangerous to themselves, his success was sometimes remarkable. In the affair of Overbury, he contrived to extract from sir Gervase Elways confessions which cost him his life; he drove *the sleeping preacher* to a full avowal of his ridiculous imposture, and by his unwearied exertions detected several pretended demoniacs, and brought them to ask pardon on their knees. These counterfeits, whose appearance was frequent during the reign of James, were usually the puppets either of a catholic priest or a puritan minister, who sought by this means one of two ends,—to cast upon his opponents the imputation of having bewitched innocent persons,—or to acquire for himself the reputation of successful exorcism; a gift which all parties believed to be distinctive of professors of the true religion. That such impositions were in fact connected with the designs of religious parties, is the only circumstance capable of palliating the ridicule attached to

a king

a king of England gravely occupying himself, and sometimes his privy-council, in watching the contortions, and making minutes of the ravings, of a set of miserable wretches, either pure impostors or the real subjects of epilepsy, who might with so much less ceremony have been consigned to the remedial methods of an hospital or a bridewell.

One advantage however accrued to the sovereign himself from these investigations; they disclosed to him such examples of knavery, delusion and imposture in these matters, that he is said to have heartily repented the support which he had lent to popular superstition by the publication of his *Demonologia*, and, in his latter years, to have nearly renounced his faith in witchcraft.

Vanity was a leading foible in the character of James, and one source of some of the principal mistakes of his reign. It was an overweening opinion of his own eloquence and polemical skill which tempted him to hold the conference at Hampton court, where, under the notion of confuting the refractory puritans, he insulted them by menaces and revilings, and thus converted this formidable party from mere dissatisfied sectaries, into determined political enemies. The same principle, exalting his idea of the surpassing majesty of the kingly character, prompted him to indulge in those arrogant and even blasphemous representations of his own prerogative and dignity which filled all true Englishmen with indignation and disgust, and implanted in the bosoms of his parliaments jealousies which he found

it

it impossible to eradicate. It was in a great measure also his vanity which prompted him to seek, on behalf of his heir, those alliances with the great catholic sovereigns which became the source of so much offence to his people, and finally of irreparable ruin to his posterity.

On his propensity to favoritism it is needless to expatiate; every page in his history is an exemplification of this weakness, and of the endless mischiefs which it is calculated to produce. The only excuse for his blind indulgence to the objects of his affection, must be derived from his boundless good-nature; which overflowed upon all who approached him, and rendered it a moral impossibility for him to refuse any request urged with importunity. His profuse liberality, which sprung from the same source, was the chief if not the sole cause of his constant want of money; for his personal habits were simple and uniform in a remarkable degree; he cared for few objects of magnificence, and indulged in no expensive pleasures, unless the sports of the field deserve to be accounted such when pursued by a monarch. Of these sports, in which James consumed so large a portion of his time, it was the worst effect, that they contributed to foster that irascibility on small provocations which so frequently transported him beyond the bounds of dignity and even of common decency, and on some occasions exposed him to the contempt of the meanest of his people. An anecdote to this effect, related by sir Thomas Wentworth, afterwards earl of Strafford, belongs to the

the last year of James's life, and may here find a place.

"I will.... write you news from the court at Rufford, where the loss of a stag, and the hounds hunting foxes instead of deer, put the king your master into a marvellous chafe, accompanied with those ordinary symptoms better known to you courtiers, I conceive, than to us country swains; in the height whereof comes a clown galloping in, and staring full in his face; 'Sblood,' quoth he, 'am I come forty miles to see a fellow?' and presently in a great rage turns about his horse, and away he goes faster than he came. The address whereof caused his majesty and all the company to burst out into a vehement laughter; and so the fume, for the time, was happily dispersed[a]."

Another story, for which we are indebted to Wilson, is equally illustrative of the faults and excellencies of the monarch's disposition. In the midst of the negotiations for the Spanish match, the king, who was at Theobalds, was much discomposed by missing some important papers which he had received respecting it. On recollection, he was persuaded that he had intrusted them to his old servant Gib, a Scotchman and gentleman of the bedchamber. Gib, on being called, declared, humbly but firmly, that no such papers had ever been given to his care; on which the king, transported with rage, after much reviling, kicked him as he kneeled before him.

[a] Earl of Strafford's *Letters and Dispatches*, vol. i. p. 23.

"Sir," exclaimed Gib, instantly rising, "I have served you from my youth, and you never found me unfaithful; I have not deserved this from you, nor can I live longer with you under this disgrace: Fare ye well, sir, I will never see your face more:", And he instantly took horse for London. No sooner was the circumstance known in the palace, than the papers were brought to the king by Endymion Porter, to whom he had given them. He asked for Gib, and being told that he was gone, ordered them to post after him and bring him back; vowing that he would neither eat, drink nor sleep till he saw him. And when he at length beheld him entering his chamber, he kneeled down and very earnestly begged his pardon; nor would he rise from this humble posture till he had in a manner compelled the confused and astonished Gib to pronounce the words of absolution[a].

King James was interred with great solemnity in Westminster Abbey, and the funeral sermon was preached by his favorite divine and politician Williams, in a style so congenial in every respect to the tastes and sentiments of the deceased monarch, that the audience might be tempted to regret that he could not enjoy the satisfaction of hearing it. Some passages appear worthy of being transcribed for the amusement and information, if not the admiration, of the modern reader. "*And Solomon slept with his fathers and was buried in the city of David his*

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[a] *History of Great Britain*, p. 219.

father,

father, and his son Rehoboam reigned in his stead. It is not I, but this woful accident, that chooseth this text.... No book will serve this turn but the book of kings, no king but one of the best kings, but one that reigned over all Israel, which must be either Saul, as yet good, or David, or Solomon; no king of all Israel but one of the wisest kings, which cannot be Saul, but either David or Solomon; none of the wisest kings neither unless he be a king of peace, which cannot be David, a man of war, but only Solomon; no king of peace neither, the more is our grief, alive and in his throne; and therefore it must of necessity be the funerals and obits of king Solomon." After this exordium follows an elaborate commentary on the life, actions and writings of Solomon, respecting whose choice of the gift of wisdom, it is gravely observed, that "although kings be anointed on the arms, the instruments of action, yet are they crowned only on the head, the seat of wisdom. Whether," proceeds the erudite divine, "this wisdom of Solomon's was universal, and embraced all sciences, as Pineda, or a prudence reaching to the practique only.....also whether Solomon did surmount, as Tostatus, or fall short of Adam in the pitch of his wisdom, as Gregory de Valentia thinks, are such doughty frays as I have no leisure to part at this time."

A parallel is drawn between the two kings in these terms: "Solomon is said to be the only son of his mother; so was king James. Solomon was of complexion white and ruddy; so was king James. So-

lomon was an infant king; so was king James a king at the age of thirteen months. Solomon began his reign in the life of his predecessor; so, by the force and compulsion of that state, did our late sovereign king James. Solomon was twice crowned and anointed a king; so was king James. Solomon's minority was rough through the quarrels of the former sovereign; so was that of king James. Solomon was learned above all the princes of the east; so was king James above all princes in the universal world. Solomon was a writer in prose and verse; so, in a very pure and exquisite fashion, was our sweet sovereign king James. Solomon was the greatest patron we ever read of to church and churchmen; and yet no greater, let the house of Aaron now confess, than king James. Solomon was honored with ambassadors from all the kings of earth; and so you know was king James. Solomon was a main improver of his home commodities, as you may see in his trading with Hiram; and God knows, it was the daily study of king James. Solomon was a great improver of shipping and navigation; a most proper attribute to king James. Solomon beautified very much his imperial city with buildings and waterworks; so did king James. Every man lived at peace under his vine and his figtree in the days of king Solomon; and so they did in the blessed days of king James. And yet, towards the end, king Solomon had secret enemies ....and prepared for a war upon his going to the grave; so had and so did king James. Lastly, before

fore any hostile act we read of in the history, king Solomon died in peace, when he had lived about sixty years, as Lyra and Tostatus were of opinion. And so you know did king James."

The latter part of this extraordinary discourse, where the bishop drops at length the absurd task of comparing point by point "the two Solomons," is less unworthy of the reputation of Williams as a statesman and a man of sense; but nothing can be more scandalous than the spirit in which the following eulogy on the king's justice is conceived: "If we look at home in his own dominions, never were the benches so gravely furnished, never the courts so willingly frequented, never rich and poor so equally righted, never the balance so evenly poized as in the reign of our late sovereign; I could tell you that that will never be believed in later times, of a lord (lord Sanquar) that died for a vile varlet, of a peer condemned for a sorry gentleman; nay, of a dear son (the palatine) left unrelieved for a time against a stranger for fear of swerving the breadth of a hair from the line of justice."

The king's zeal for religion, and more particularly for episcopacy, receives the warmest commendations from the bishop, who concludes this head of his panegyric with the following statements: "He was as great a patron of the maintenance of the church as ever I read of in any history. For, beside his refusal of *sede vacantes* and that law he enacted at his first entrance for the preservation of the revenue of our churches in England, he might well say with David

David for his other kingdoms, '*The zeal of thy house hath eaten me up*;' that the endowing of bishoprics, the erecting of colleges, the buying out of impropriations, the assigning of glebes, the repairing of old and the erecting of new churches, hath consumed and taken up all, or the far greater part, of his revenues in Scotland and Ireland."

The wisdom of the king is extolled in terms of the grossest adulation; but from the following enumeration of the advancement of the various interests of the three kingdoms during his reign, the impartial historian will find little to subtract:...." The Scotish feuds quite abolished, the schools of the prophets new adorned, all kind of learning highly improved, manufactures at home daily invented, trading abroad exceedingly multiplied, the borders of Scotland peaceably governed, the north of Ireland religiously planted, the East India well traded, Persia, China and the Mogor visited, lastly, all the ports of Europe, Asia, Africa and America to our red crossed freed and opened. And they are all the actions and true born children of king James his peace[a]."

It is somewhat singular that, in the enumeration of king James's merits with respect to religion, the bishop should have omitted all mention of his care for the completion of a new version of the bible. This great work was undertaken in performance of a promise made by the king at the Hampton-court

[a] *Somers Tracts*, vol. ii. p. 33. 3rd edit.

conference,

conference, and Dr. Reynolds, the great champion of the puritans, by whom it was there suggested, was one of the divines engaged in its execution. The translators were in number forty-seven ; they were divided into six companies, to each of which a portion of the scriptures was assigned. Rules for their proceeding were drawn up by his majesty himself, with great attention and apparently with much prudence. Nearly three years were occupied in the task; and it was not till 1611 that the book appeared in print with a well-merited dedication to the king. This is the authorised version of the present day; and, with some allowances for the subsequent advancement of the science of biblical criticism, it has constantly been regarded by the best judges as a very honorable monument of the learning, skill and diligence of the translators.

The appearance of king James's bible forms also one of the most important events in the history of the English language; it had the immediate effect of recommending to common use a very considerable number of words derived from the learned languages, for which the translators had been unable to find equivalents in the current English of the time. At present it performs a service of an opposite nature, and keeps in use, or at least in remembrance, many valuable words and expressive idioms which would otherwise have been rejected with disdain by the fastidiousness of modern taste, as homely and familiar.

Some attempts have been made by the eulogists of

of James I. to affix to his name the title of *The Just*; but impartial posterity has refused to confirm an addition so glorious: Justice is the virtue of great minds, and the praise of general good intention is the utmost that can be conceded to a prince so habitually swayed by fear, by prejudice and by private affections.

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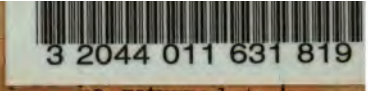
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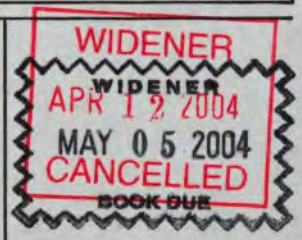

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